United Nations A/63/128

General Assembly

Distr.: General
14 July 2008

Original: English

**Sixty-third session**
Item 73 (b) of the preliminary list*
**Oceans and the law of the sea**

# Sustainable fisheries, including through the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, and related instruments

## Report of the Secretary-General

*Summary*

The present report is prepared in response to paragraph 118 of General Assembly resolution 62/177. It contains information on steps and initiatives taken or recommended by the international community to improve the conservation and management of fishery resources and other marine living resources with a view to achieving sustainable fisheries and protecting vulnerable marine ecosystems and biodiversity.

The report is based on information provided by States, relevant specialized agencies, in particular the Food and Agriculture Organization of the United Nations, and other appropriate organs, organizations and programmes of the United Nations system, subregional and regional organizations and arrangements for the conservation and management of straddling fish stocks and highly migratory fish stocks, as well as other relevant intergovernmental bodies and non-governmental organizations.

* A/63/50.

08-42264 (E) 200808

**The report emphasizes the importance of the full implementation by States of all international fishery instruments, whether legally binding or voluntary, which promote the conservation and management and sustainable use of marine living resources. It also emphasizes the importance of cooperation among States, directly or through subregional and regional fisheries management organizations or arrangements (RFMO/As) to address unsustainable fishing practices and promote sustainable fisheries in areas beyond national jurisdiction, including through implementing their responsibilities as flag States, improving governance of RFMO/As, and cooperating in the establishment of new organizations or arrangements where none exist.**

**In accordance with the Terms of Reference of the Assistance Fund established under part VII of the United Nations Fish Stocks Agreement, a brief report on the status and activities of the Fund is also included.**

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## Abbreviations

| | |
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| APEC | Asia-Pacific Economic Cooperation |
| APFIC | Asia-Pacific Fishery Commission |
| ASEAN | Association of Southeast Asian Nations |
| CCSBT | Commission for the Conservation of Southern Bluefin Tuna |
| CCAMLR | Commission for the Conservation of Antarctic Marine Living Resources |
| COFI | FAO Committee on Fisheries |
| CRFM | Caribbean Regional Fisheries Mechanism |
| CWP | Coordinating Working Party on Fisheries Statistics |
| EC | European Community |
| EEZ | Exclusive economic zone |
| EU | European Union |
| FAO | Food and Agriculture Organization of the United Nations |
| FFA | South Pacific Forum Fisheries Agency |
| GEF | Global Environment Facility |
| GFCM | General Fisheries Commission for the Mediterranean |
| GPA | Global Programme of Action for the Protection of the Marine Environment from Land-based Activities |
| HELCOM | Baltic Marine Environment Protection Commission |
| IATTC | Inter-American Tropical Tuna Commission |
| ICCAT | International Commission for the Conservation of Atlantic Tunas |
| ICES | International Council for the Exploration of the Sea |
| ICFA | International Coalition of Fisheries Associations |
| ILO | International Labour Organization |
| IMO | International Maritime Organization |

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| **IPOA-Capacity** | International Plan of Action for the Management of Fishing Capacity |
| **IPOA-IUU** | International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing |
| **IPOA-Seabirds** | International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries |
| **IPOA-Sharks** | International Plan of Action For the Conservation and Management of Sharks |
| **IUU fishing** | Illegal, unreported and unregulated fishing |
| **IWC** | International Whaling Commission |
| **MCS** | Monitoring, control and surveillance |
| **MSC** | Marine Stewardship Council |
| **MPA** | Marine protected area |
| **MARPOL 73/78** | International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 |
| **NACA** | Network of Aquaculture Centres in Asia and the Pacific |
| **NAFO** | Northwest Atlantic Fisheries Organization |
| **NOAA** | National Oceanic and Atmospheric Administration |
| **NASCO** | North Atlantic Salmon Conservation Organization |
| **NEAFC** | North East Atlantic Fisheries Commission |
| **NPAFC** | North Pacific Anadromous Fish Commission |
| **RECOFI** | Regional Commission for Fisheries |
| **RFBs** | Regional fishery bodies |
| **RSPs** | Regional seas programmes |
| **RFMO/A** | Regional fisheries management organization or arrangement |
| **SEAFDEC** | Southeast Asian Fisheries Development Center |
| **SEAFO** | South East Atlantic Fisheries Organization |
| **SIOFA** | South Indian Ocean Fisheries Agreement |
| **SPRFMO** | South Pacific Regional Fisheries Management Organization |

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| SWIOFC | South West Indian Ocean Fisheries Commission |
| UNCLOS | United Nations Convention on the Law of the Sea |
| UNEP | United Nations Environment Programme |
| VME | Vulnerable marine ecosystem |
| VMS | Vessel monitoring system |
| WCPFC | Western and Central Pacific Fisheries Commission |
| WECAFC | Western Central Atlantic Fishery Commission |

# I. Introduction

1. In its resolution 62/177, the General Assembly reaffirmed the importance of achieving sustainable fisheries through the long-term conservation, management and sustainable use of the marine living resources of the world's oceans and seas, and the obligations of States to cooperate to that end, in accordance with international law, as reflected in the relevant provisions of the United Nations Convention on the Law of the Sea (UNCLOS) and related international fisheries instruments.

2. The General Assembly also called upon all States that had not done so to become parties to UNCLOS, which sets out the legal framework within which all activities in the oceans and seas must be carried out, the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Agreement)[1] and the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas (the Compliance Agreement),[2] and to fully implement their provisions.

3. In addition, the General Assembly agreed on actions that need to be taken and issues that need to be addressed by the international community to achieve sustainable fisheries. The Assembly urged the international community to improve the governance of the world's fisheries and address unsustainable fishing practices that had adverse impacts on the conservation and sustainable use of fishery resources, as well as the protection of vulnerable marine ecosystems (VMEs) and the biodiversity they contain. The Assembly, therefore, requested the Secretary-General to bring resolution 62/177 to the attention of all members of the international community, and to invite them to provide information on measures they had taken to ensure its implementation.

4. Accordingly, the Secretary-General circulated a questionnaire to States, relevant specialized agencies, and other appropriate organs, organizations and programmes of the United Nations system, subregional and regional fisheries management organizations and arrangements (RFMO/As), as well as other relevant intergovernmental bodies and non-governmental organizations (NGOs), soliciting their input on issues raised in the resolution. The present report is based upon replies received by the Secretary-General, for which he expresses his appreciation (see list of respondents in annex I to the present report).

# II. Achieving sustainable fisheries

5. The international community faces a significant challenge in achieving the sustainable use of fishery resources when the level of demand for the resources has increased beyond what the marine environment can supply. Most of the world's main capture fisheries have reached their maximum potential, with over 75 per cent

[1] United Nations, *Treaty Series*, vol. 2167, No. 37924.

[2] Ibid., vol. 2221, No. 39486.

of world fish stocks estimated to be either fully exploited or overexploited.[3] Impediments to the sustainable development of fisheries also persist in virtually all fishing areas of the world, including overfishing, overcapacity and illegal, unreported and unregulated fishing (IUU fishing).[4] At the same time, demand for fish products has increased and is expected to increase as a result of population growth and further expansion of trade.[5] Ensuring the sustainable development of fisheries resources thus remains a serious concern and a significant challenge.

6. In order to respond to resolution 62/177, in which the Assembly invited the international community to promote sustainable fisheries, many respondents were giving priority to the application of the Johannesburg Plan of Implementation of the World Summit on Sustainable Development in relation to achieving sustainable fisheries (Algeria, Cambodia, Canada, European Community (EC), Kuwait, Latvia, Morocco, New Zealand, Norway, Poland, Qatar, Senegal, United States, Yemen), including by developing recovery plans to rebuild fish stocks. Many respondents were also taking action to apply the precautionary approach (Algeria, Cambodia, Canada, Latvia, Mexico, Morocco, New Zealand, Norway, Poland, Senegal, United States, Bolivarian Republic of Venezuela) and an ecosystem approach to the conservation, management and exploitation of fish stocks (Cambodia, Canada, EC, Kuwait, Latvia, Mexico, Morocco, New Zealand, Norway, Poland, Senegal, United States), and adopt and implement conservation and management measures that address, inter alia, by-catch, pollution, overfishing, or destructive fishing practices and protection of habitats of specific concern (Cambodia, Canada, EC, Kuwait, Latvia, Mexico, Morocco, New Zealand, Norway, Qatar, United States, Yemen). In addition, several States were taking action to ensure compliance by their flag vessels

[3] See A/62/260, paras. 5-6. The Food and Agriculture Organization of the United Nations (FAO) estimated that more than 75 per cent of world fish stocks were already fully exploited or overexploited, confirming earlier observations that the maximum wild capture fishery potential from the world's oceans had probably been reached. Those findings also reinforced calls for more cautious and effective fisheries management to rebuild depleted stocks and prevent the decline of stocks being exploited at or close to their maximum potential. The situation was more critical for some highly migratory, straddling and other fishery resources that were exploited solely or partially in the high seas, in particular, straddling stocks and highly migratory oceanic sharks.

[4] The Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction (Ad Hoc Open-ended Informal Working Group), which met at United Nations Headquarters in New York, from 28 April to 2 May 2008, identified certain anthropogenic impacts on marine biodiversity beyond areas of national jurisdiction that required particular attention, including impacts caused by unsustainable fishing activities, such as overfishing, overcapacity, by-catch, destructive fishing practices, and IUU fishing (see A/63/79, para. 13).

[5] FAO website at: http://www.fao.org/fishery/topic/2883/en. The value of world exports of fish and fish products grew 9.5 per cent in 2006 to US$ 86 billion and nearly 7 per cent in 2007 to $92 billion, with developing States accounting for 50 per cent of all fish exports. The proportion of world fish production traded internationally represented 38 per cent of the total, or 55 million tons (see FAO News Release 2 June 2008, available from http://www.fao.org/newsroom/en/news/2008/1000850/index.html). The eleventh session of the FAO Subcommittee on Fish Trade (2-6 June 2008, Bremen, Germany) endorsed a set of technical guidelines aimed at promoting responsible international trade in fish and fishery products, which were intended to ensure that international trade in fish and fishery products did not compromise the sustainable development of fisheries and responsible utilization of living aquatic resources (see FAO News Release 17 June 2008, available from http://www.fao.org/newsroom/en/news/2008/1000867/index.html).

with conservation and management measures on the high seas (Algeria, Canada, Kuwait, Latvia, Morocco, New Zealand, Norway, United States).

7. The important role of science was being promoted in many forums and several States were increasing their reliance on scientific advice in developing conservation and management measures (Algeria, Canada, Latvia, Lebanon, Mexico, Morocco, New Zealand, Norway, Oman, Senegal, United States, Yemen). Catch and effort reporting programmes were being implemented or improved (Algeria, Latvia, Morocco, New Zealand, Norway, Oman, Poland, Senegal, Suriname, United States), and observer programmes were also being developed or implemented to improve data collection (Latvia, New Zealand, Norway, Poland, Senegal, United States, Yemen). Many RFMOs were collecting and reporting catch and effort data and other fishery-related information to support scientific and management processes,[6] and several States and RFMOs were supporting the implementation and development of the FAO Fishery Resources Monitoring System (FIRMS) initiative.[7]

8. In addition, many respondents were taking steps to ensure the long-term conservation, management and sustainable use of shark stocks (Cambodia, Canada, EC, Latvia, Mexico, Morocco, New Zealand, Norway, Oman, Poland, Qatar, Senegal, United States, Bolivarian Republic of Venezuela, Yemen), including by prohibiting or restricting fisheries conducted solely to harvest shark fins, or requiring sharks to be landed with their fins naturally attached (Canada, Mexico, New Zealand, Oman, United States, Bolivarian Republic of Venezuela, Yemen).

9. Some States were giving priority to the importance of eliminating barriers to trade in fish and fisheries products (Canada, Latvia, Morocco, New Zealand, Oman, Qatar, United States, Bolivarian Republic of Venezuela). States and relevant intergovernmental organizations were also taking measures to provide for the participation of small-scale fishery stakeholders in related policy development and fisheries management strategies.[8]

# III. Implementation of international instruments for the long-term conservation, management and sustainable use of fishery resources

10. The adoption of international instruments, whether voluntary or legally binding, is not sufficient to ensure the conservation and sustainable use of fisheries resources. To be effective, international instruments must be implemented comprehensively through concrete measures at the national, subregional and regional levels.

[6] CCSBT, GFCM, IATTC, NAFO, NASCO, NEAFC, SEAFDEC, SEAFO, SPRFMO, WCPFC.

[7] Norway, Poland, United States, GFCM, IATTC, ICCAT, NAFO, NEAFC, SEAFDEC, SEAFO, SPRFMO, WCPFC.

[8] Cambodia, Canada, Latvia, Morocco, New Zealand, Norway, Qatar, Suriname, United States, Bolivarian Republic of Venezuela, Yemen, FAO, GEF, HELCOM, IWC, OECD, UNEP.

## A. Implementation of the United Nations Fish Stocks Agreement

11. The 1995 United Nations Fish Stocks Agreement is considered to be the most important multilateral legally binding instrument for the conservation and management of high seas fisheries since the adoption of UNCLOS in 1982. Its objective is to ensure the long-term conservation and sustainable use of straddling and highly migratory fish stocks through effective implementation of the relevant provisions of UNCLOS.

12. As at 30 June 2008, the number of parties to the Agreement, including the European Community, was 71. Since the Review Conference on the Agreement was held in May 2006, 14 States have ratified or acceded to the Agreement.[9]

### 1. Implementation of relevant provisions of the Agreement

#### (a) Harmonization of national legislation by States parties and implementation of relevant provisions of the Agreement in regional organizations and arrangements

13. A number of States parties (Canada, EC, Latvia, New Zealand, Norway, Poland, United States) reported on the steps taken to harmonize their national legislation with the Agreement (see also A/62/260, para. 15). Latvia and Poland, which are both member States of EC, indicated that they achieved harmonization of their national legislation with the Agreement through implementation of European Union (EU) Council and European Commission regulations. Oman, which became a State party on 13 June 2008, reported that its existing fishery laws included provisions, consistent with the provisions of UNCLOS, regarding the measures that should be taken to conserve shared fish stocks, straddling fish stocks and highly migratory fish stocks.

14. A number of States which are not party to the Agreement also reported on steps they had taken concerning the conservation and management of straddling fish stocks and highly migratory fish stocks. Bahrain indicated that it had implemented accepted principles of the law of the sea with respect to the conservation and management of straddling fish stocks and highly migratory fish stocks and, in that regard, it was carrying out research concerning King Mackerel, a highly migratory species. Kuwait reported that provisions of the Agreement relating to conservation measures were being applied under its national regulations to protect its marine living resources. Suriname reported that studies had been initiated through the Caribbean Regional Fisheries Mechanism (CRFM), in connection with the conservation and management of straddling fish stocks and highly migratory fish stocks.

15. Qatar stated that it had signed bilateral agreements with Bahrain and the United Kingdom of Great Britain and Northern Ireland on sustainable development and the conservation and management of straddling fish stocks and highly migratory fish stocks. Cambodia reported that it had implemented some parts of the

[9] For a list of the parties to the Agreement, see http://www.un.org/Depts/los/reference_files/chronological_lists_of_ratifications.htm#Agreement for the implementation of the provisions of the Convention relating to the conservation and management of straddling fish stocks and highly migratory fish stocks. The States which have become parties to the Agreement since the Review Conference are, in chronological order, Slovenia, Estonia, Japan, Trinidad and Tobago, Niue, Bulgaria, Latvia, Lithuania, Czech Republic, Romania, Republic of Korea, Palau, Oman and Hungary.

Agreement, in particular through cooperation with RFMO/As, FAO, the United Nations Environment Programme (UNEP) and other organizations. Mexico stated that it complied with most of the provisions of the Agreement with a view to ensuring the appropriate use of fishery resources on the high seas.

**(b) Flag State duties to ensure compliance with international conservation and management measures**

16. Article 18 of the Agreement sets out the duties of flag States parties whose vessels fish on the high seas. Many respondents, including non-parties (Cambodia, Canada, Latvia, Mexico, New Zealand, Norway, Poland, Qatar, Senegal, United States, Yemen), reported that they had incorporated some or all of the provisions of article 18 of the Agreement into their domestic legislation (see also A/60/189, paras. 6-10; A/CONF.210/2006/1, paras. 267-273; and A/62/260, paras. 17-18). The Bolivarian Republic of Venezuela, which is not party to the Agreement, stated that its obligations as a member of RFMO/As included the obligation to ensure that its vessels complied with measures adopted by those RFMO/As.

17. Cambodia, which is not a party to the Agreement, reported that it was taking steps to address the failure of fishing vessels flying its flag to comply with relevant obligations under international law. Qatar reported that it was establishing a vessel monitoring system (VMS) scheme to monitor the activities of its fishing vessels.

**(c) Bilateral, regional and subregional cooperation in enforcement**

18. A number of respondents reported on their efforts to facilitate cooperation at the bilateral, regional and subregional level in the enforcement of regional and subregional conservation and management measures (Cambodia, Canada, Latvia, Mexico, New Zealand, Norway, Poland, Qatar, United States, Bolivarian Republic of Venezuela, Yemen). New Zealand conducted regular maritime surveillance of areas under its national jurisdiction, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) Convention area (the Ross Sea), and the exclusive economic zones (EEZs) of Pacific Island States. New Zealand and the Bolivarian Republic of Venezuela emphasized their ongoing work through the framework of RFMO/As with regard to cooperation, and Norway highlighted the enhanced role of the North East Atlantic Fisheries Commission (NEAFC) in relation to enforcement in its regulatory area. Norway and New Zealand stated that they had concluded a number of bilateral enforcement agreements.

19. The United States reported on a number of initiatives to enhance cooperation with respect to enforcement. It pointed out that the International Monitoring, Control and Surveillance Network for Fisheries-Related Activities (MCS Network) had approved a three-year enhancement project to be hosted by the United States. Four staff, including a fisheries analyst and a training officer would be hired. In addition, the United States had concluded a shiprider agreement with Palau and similar agreements were under negotiation with the Federated States of Micronesia and the Marshall Islands. These agreements provided for fisheries enforcement and also for other areas of cooperative enforcement. The United States had also concluded a temporary shiprider agreement with Cape Verde which provided for legal enforcement concerning a range of areas, including fisheries.

**(d) High seas boarding and inspection under articles 21 and 22 of the Agreement**

20. The Northwest Atlantic Fisheries Organization (NAFO), NEAFC and the Western and Central Pacific Fisheries Commission (WCPFC) reported that procedures for high seas boarding and inspection had been developed pursuant to the Agreement.[10] The International Commission for the Conservation of Atlantic Tunas (ICCAT) referred to its Scheme of Joint International Inspection, adopted in 1975, which provided for international control in areas beyond national jurisdiction for the purpose of ensuring the application of the ICCAT Convention. Each contracting party had agreed to implement the inspection scheme under the framework of the multi-annual management for Eastern Atlantic and Mediterranean bluefin tuna.

21. The South East Atlantic Fisheries Organization (SEAFO) reported that, under article 16 of the SEAFO Convention, its system of observation, inspection, compliance and enforcement was to comprise of, inter alia, an inspection programme, including procedures for boarding and inspection of vessels, on a reciprocal basis. While some of its monitoring, control and surveillance (MCS) measures had been developed, other measures, such as boarding and inspection procedures were still being developed. The General Fisheries Commission for the Mediterranean (GFCM) stated that it was likely that high seas boarding and inspection procedures would be developed in the future. The interim secretariat for the proposed South Pacific Regional Fisheries Management Organization (SPRFMO) reported that the draft text of the Convention included procedures for boarding and inspection which were consistent with the Agreement.

22. IATTC stated that it had introduced measures to ensure compliance with its conservation and management regulations, including 100-per cent observer coverage on large tuna purse seine vessels.

23. **Implementation of article 21, paragraph 4 of the Agreement** (see also A/62/260, para. 20). Article 21, paragraph 4, requires inspecting States, prior to undertaking boarding and inspection of fishing vessels flying the flag of other States parties to the Agreement, to inform all States whose vessels fish on the high seas in the relevant subregion or region of the form of identification issued to their duly authorized inspectors. Further, at the time of becoming a party to the Agreement, States parties are required to designate an appropriate authority to receive notifications pursuant to article 21 and to give due publicity to such designation through the relevant RFMO/As.

24. New Zealand reported that the WCPFC was the only RFMO of which it was a member that had adopted high seas boarding and inspection procedures in accordance with articles 21 and 22 of the Agreement, and that it had informed other States and entities whose vessels fish in the Convention area of the form of identification issued to New Zealand high seas inspectors. The form of identification was available on the website of WCPFC (http://www.wcpfc.int/). Within the context

[10] See NAFO Conservation and Enforcement Measures, chap. IV, available from http://www.nafo.int/fisheries/CEM/chapter4.html; NEAFC Scheme of Control and Enforcement, chap. IV, arts. 15-19, available from http://www.neafc.org/measures/docs/scheme_2007.pdf; and WCPFC Conservation and Management Measure 2006-08 entitled "Western and Central Pacific Fisheries Commission Boarding and Inspection Procedures", available from http://www.wcpfc.int/.

of WCPFC, New Zealand had designated the Ministry of Fisheries as the appropriate authority to receive notifications under article 21. Poland reported that its inspectors carried identification badges based on the models specified by relevant RMFO/As, and appropriate notifications had been made to those RFMO/As in agreement with the competent EC bodies. The United States stated that the National Oceanic and Atmospheric Administration (NOAA) was the designated agency to receive notifications pursuant to article 21 of the Agreement.

25. **Conservation and management of discrete high seas fish stocks.**[11] New Zealand reported that the proposed SPRFMO would be responsible for the conservation and management of non-highly migratory species, including discrete high seas fish stocks. This would fill a gap in the management of fishery resources in the high seas in the South Pacific Ocean. Precautionary interim measures for pelagic and bottom fisheries were adopted by participants at the third international meeting on the establishment of SPRFMO held in Reñaca, Chile, from 30 April to 4 May 2007. Those measures were complemented by standards on data collection and reporting, observer programmes, VMS and benthic assessments.

26. The United States reported that the recent measures adopted by CCAMLR restricting the use of bottom contact fishing gear in areas with VMEs had benefited demersal species, for example toothfish, found in those ecosystems. Further, the United States had unilaterally enacted a regulation which prohibited imports of toothfish unless electronic VMS and catch documentation scheme requirements were met.

## 2. Implementation of the outcome of the Review Conference

27. The Review Conference on the Agreement, held in New York in May 2006, adopted a number of recommendations to States regarding the following topics: conservation and management of stocks; mechanisms for international cooperation and non-members; MCS and compliance and enforcement; and developing States and non-parties (see A/CONF.210/2006/15, annex, paras. 18, 32, 43 and 55). In paragraph 28 of resolution 62/177, the General Assembly encouraged States, individually and, as appropriate, through RFMO/As, to implement those recommendations.

28. **Measures taken by States**. Canada, Latvia, New Zealand, Norway and the United States provided information regarding the implementation of the recommendations of the Review Conference (see also A/62/260, paras. 25-26). New Zealand reported that it had worked to ensure that the recommendations were incorporated into fisheries instruments, such as General Assembly resolution 62/177, and the work of international fisheries-related forums, such as FAO. The United States indicated that it supported the work of ICCAT, CCAMLR and the North Atlantic Salmon Conservation Organization (NASCO) to assess their performance and the work of IATTC and NAFO to improve and strengthen their mandates. It also provided strong support to the recent work of FAO to develop technical guidelines for the management of deep sea fisheries on the high seas, including standards and criteria for identifying VMEs and the impacts of fishing on such ecosystems. Canada emphasized the role of the Informal Consultations of

[11] For information regarding species of discrete high seas fish stocks, see A/CONF.210/2006/1, paras. 104-116. See also A/62/260, paras. 22-23. A number of States reported on this topic, including Canada, Latvia, New Zealand, Norway, Poland, Qatar, Yemen, United States.

States Parties to the Agreement as a forum for discussion of the recommendations of the Review Conference and identifying the priorities for action.

29. **Activities carried out by FAO**. In connection with FAO arrangements with States for the collection and dissemination of data on fishing on the high seas by vessels flying their flag at the subregional and regional levels, FAO reported that, for existing RFMO/As, the Coordinating Working Party on Fisheries Statistics played a pivotal role in reviewing fishery statistics requirements for research, policymaking and management. The Working Party's focus on standard setting was particularly important as a means for promoting and sustaining high standards for its members (see also A/62/260, para. 27).

30. FAO also provided information on the steps it had taken to revise its global fisheries database with a view to providing information on straddling fish stocks, highly migratory fish stocks and discrete high seas fish stocks on the basis of where the catch was taken (ibid., para. 28). At its twenty-second session, in February 2007, the Coordinating Working Party accepted the FAO proposal to develop a global compilation and dissemination system which would enable the dissemination of data obtained from RFMO/As, FAO and others. In 2007, FAO conducted a feasibility study to develop a basic design of the system and to identify potential problems. FAO proposed to develop a prototype of the global system, with funding provided by Japan, and submit it to the Coordinating Working Party at its twenty-third session, in March 2009, for review and feedback from major RFMOs.

### 3. Seventh round of informal consultations of States parties to the Agreement

31. The seventh round of informal consultations of States parties to the Agreement was held in New York, on 11 and 12 March 2008, with the objective of discussing the implementation of the Agreement at the regional, subregional and global levels, taking into consideration the outcome of the Review Conference as regards proposed means of strengthening the implementation of the Agreement, promoting a wider participation in the Agreement and making any appropriate recommendations to be considered by the General Assembly (see ICSP7/UNFSA/REP/INF.2).

32. At the end of the session, it was agreed to recommend to the General Assembly the following courses of action: (a) to request the Secretary-General to resume in 2010 the Review Conference convened pursuant to article 36 of the Agreement and to begin the necessary preparatory work, and adopt budgetary decisions in that regard; (b) to request the Secretary-General to convene an eighth round of informal consultations in 2009 for a duration of at least four days to consider, inter alia, promoting a wider participation in the Agreement through a continuing dialogue and initial preparatory work for the resumption of the Review Conference, and to make any appropriate recommendation to the General Assembly; (c) to request the Secretary-General to submit to the resumed Review Conference an updated comprehensive report, prepared in cooperation with FAO, in accordance with paragraph 2 of article 36 of the Agreement; and (d) to request the Secretariat, in cooperation with FAO, to compile a comprehensive list of sources of available assistance that could be accessed by developing States to increase their capacity and promote a wider participation in the Agreement.

## B. Implementation of fishery instruments of the Food and Agriculture Organization of the United Nations

### 1. Compliance Agreement of the Food and Agriculture Organization of the United Nations

33. As at 30 June 2008, 36 parties, including the European Community, had accepted the FAO Compliance Agreement (see http://www.fao.org/Legal/treaties/012s-e.htm). Canada, Latvia, Mexico, New Zealand, Norway, Oman and the United States reported on measures they had taken to implement the Compliance Agreement (see also A/62/260, paras. 32-33). Oman stated that it had developed a stringent system to monitor fishing vessels flying its flag, both on the high seas and in areas within its national jurisdiction. Legal measures were taken against vessels which violated the Compliance Agreement. The Bolivarian Republic of Venezuela, which is not a party to the Compliance Agreement, indicated that it had incorporated into its domestic law some parts of the Compliance Agreement relating to the control of fishing vessels flying its flag and operating on the high seas, in order to better conserve and regulate its national marine spaces. Yemen, which is also a non-party to the Compliance Agreement, emphasized that it regulated fishing activities of its nationals and vessels flying its flag, including through the implementation of MCS requirements and the provision of information regarding catch.

### 2. Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations

34. Cambodia, Canada, Kuwait, Latvia, Mexico, New Zealand, Norway and the United States reported on measures they had taken to implement and promote the FAO Code of Conduct for Responsible Fisheries (Code of Conduct) (see also A/62/260, paras. 34-35; A/60/189, paras. 22-23). In particular, Cambodia reported that it had translated the Code of Conduct and held consultations to promote awareness of the Code of Conduct among Government staff and local fishing communities.

### 3. International plans of action of the Food and Agriculture Organization of the United Nations

35. Cambodia, Canada, Kuwait, Latvia, Mexico, New Zealand, Norway, Spain, the United States and the Bolivarian Republic of Venezuela reported on the adoption of national plans of action to implement the FAO international plans of action (IPOAs) adopted within the framework of the Code of Conduct (see also A/62/260, para. 36). Further information on issues relating to the implementation of the International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), International Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing (IPOA-IUU), International Plan of Action for the Management of Fishing Capacity (IPOA-Capacity), and the International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds) is provided in sections II and V of the present report.

36. Canada reported that it had developed national plans of action to implement the IPOA-Sharks, IPOA-IUU and IPOA-Capacity. With particular reference to the IPOA-Sharks, Cambodia, New Zealand, the United States and the Bolivarian

Republic of Venezuela reported that they had already adopted a national plan of action on sharks. Cambodia indicated that it was collaborating with the Association of Southeast Asian Nations (ASEAN)-Southeast Asian Fisheries Development Center (SEAFDEC) in connection with studies and research on shark management issues. The United States pointed out that it had provided technical assistance and capacity-building to help other countries develop national plans of action on sharks. It had also promoted shark conservation and management measures and the implementation of the IPOA-Sharks in RFMO/As in which it participated.

## IV. Promoting responsible fisheries in the marine ecosystem

37. Promoting responsible fisheries will help to ensure that fisheries resources will continue to provide important nutritional, economic, social, environmental and cultural benefits for both present and future generations. States must conserve and manage marine living resources in an effective manner, recognizing the importance of fisheries and the interests of those involved in the fishery sector, while at the same time taking into account the biological characteristics of the resources, the interdependence between the harvested species and associated and dependent species, as well as the importance of marine ecosystems, including VMEs, as habitats for many fish species and other components of marine biodiversity. Measures need to be taken in this regard to avoid the adverse impacts of fishing on the marine environment, maintain the integrity of marine ecosystems, and minimize the risk of long-term or irreversible effects of fishing operations.[12]

38. There is also a need to improve cooperation and coordination to further promote responsible fisheries in the marine ecosystem and provide international partnerships and funding for capacity-building in developing States, for example, through the establishment of research programmes on ways and means to promote sustainable fisheries and measures to reduce the impact of fishing on marine ecosystems.

39. In responding to calls from the General Assembly, many respondents (Algeria, Bahrain, Cambodia, Canada, EC, Kuwait, Latvia, Mexico, Morocco, New Zealand, Norway, Oman, Senegal, Spain, Suriname, United States, Bolivarian Republic of Venezuela, Yemen) have been taking measures to promote responsible fisheries and protect marine ecosystems, including by adopting and implementing ecosystem approaches, applying the precautionary approach, establishing marine protected areas (MPAs) or adopting strategies to protect vulnerable habitats, developing ongoing data collection programmes, increasing scientific research on marine ecosystems, providing training programmes, establishing observer programmes, and otherwise enhancing their legal framework and providing for more effective regulation of fisheries.

40. As discussed below, specific actions have also been taken to promote sustainable aquaculture, address marine pollution, protect vulnerable marine ecosystems from destructive fishing practices, and develop criteria on the objectives and management of MPAs for fisheries purposes.

[12] See, for example, the Code of Conduct, the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem, and the Agreement.

## A. Achieving sustainable aquaculture

41. Aquaculture is probably the fastest growing food-producing sector and now accounts for nearly 50 per cent of the world's food fish, with production in 2004 valued at over $70 billion.[13] The sector plays an important role in global efforts to eliminate hunger and malnutrition, and can contribute to development by improving incomes, providing employment opportunities and increasing the returns on resource use.[14]

42. The aquaculture sector is growing in almost all regions of the world, just as the global population demand for aquatic food products is expected to increase. As production from capture fisheries has levelled off and most of the main fisheries have reached their maximum potential, aquaculture can make an important contribution in this regard. It has been estimated that, in order to maintain the current level of per capita consumption, global aquaculture production will need to reach 80 million tons by 2050.[15]

43. In order to achieve this, however, the aquaculture sector will need to address significant challenges. Continuing improvements, interventions and investments are required to ensure a higher degree of environmental sustainability and economic viability in the sector, as pressure on the natural resource base and public awareness of environmental issues has increased. An ecosystem approach to aquaculture development can help to reconcile the human and environmental objectives of sustainable development.[14]

**Measures taken by States**

44. Algeria, Canada, Latvia, Mexico, Morocco, Senegal, the United States, the Bolivarian Republic of Venezuela and Yemen reported on new efforts to achieve sustainable aquaculture, including measures to enhance the legal or governance framework regulating the aquaculture industry (Algeria, Senegal, United States, Bolivarian Republic of Venezuela; see also A/62/260, paras. 43-44). Algeria was preparing an annual development and management plan to ensure ongoing monitoring of stocks. It also launched a pilot project to apply an ecosystem approach to aquaculture that would be expanded to include all aquaculture activities in the country, as well as an aquaculture development policy to balance maritime fisheries production with aquaculture production to reduce pressure on often-overused stocks. Canada was developing an environmentally and socially sustainable aquaculture sector through governance and regulatory reform, regulatory science, innovation, and certification and market access. It also entered into a memorandum of understanding with Chile on aquaculture collaboration. Aquaculture development in Mexico has been preceded by environmental impact studies, and regulations have been established to control the sanitary aspects of aquaculture activities. Morocco also required environmental impact studies for aquaculture and fish farming projects. The Bolivarian Republic of Venezuela

[13] See FAO website, The state of world aquaculture, available at http://www.fao.org/fishery/topic/13540/en. Also see *State of World Aquaculture 2006*, FAO Fisheries Technical Paper No. 500 (Rome 2006), and *The State of World Fisheries and Aquaculture 2006*, FAO Fisheries Department (Rome 2007).

[14] FAO background document, "The role of aquaculture in sustainable development" (C/2007/INF/16), available from ftp://ftp.fao.org/docrep/fao/meeting/012/k0701e.pdf.

[15] FAO website, The state of world aquaculture, see footnote 13 above.

established a specialized aquaculture unit, and national standards and other mechanisms have been developed to handle the entry of exotic species and aquaculture diseases.

45. States also reported on efforts to improve cooperation and coordination in relation to aquaculture. Latvia held an international conference in May 2008 on the possibilities for development of Eastern Baltic region aquaculture, and Yemen established a centre for aquaculture in cooperation with Japan.

**Activities carried out by FAO**

46. FAO provided advice and information to ensure the sustainable contribution of aquaculture to food supply, food security and general economic growth through the implementation of relevant provisions of the Code of Conduct. It also worked in close collaboration with a variety of national, regional and international institutions in building international consensus among stakeholders responsible for aquaculture development by providing platforms at regional and global levels for discussion at its regional fishery bodies (RFBs). In this respect, it convened a number of regional body meetings related to aquaculture, such as the Committee for Inland Fisheries Aquaculture of Africa, European Inland Fisheries and Advisory Commission, GFCM, and the Regional Commission for Fisheries (RECOFI). Other major work included the development of guidelines on a certification scheme of aquaculture products and their safety; risk analysis, assessment and management in aquaculture; and technical guidelines on aquatic animal health management and safe transboundary movement of live aquatic species, responsible use of feed and seed, responsible use of alien species in aquaculture and conservation and responsible use of aquatic biodiversity for aquaculture.[16]

47. FAO organized a high-level special event in November 2007 to address the role of aquaculture in sustainable development, which included issues relating to economic development (food security, employment and economic growth), governance (policy and regulatory frameworks), human and institutional capacity, and environmental aspects. It was recognized that negative environmental impacts of aquaculture had been significantly reduced, but continued sustainable aquaculture production with minimal negative social and environmental impact was critically important. The meeting also emphasized the need for better management of the sector to maximize its contribution to social well-being, national economies and international trade, the importance of creating a sound enabling environment to ensure that sustainability was stressed, the importance of institutional and regional cooperation, and the need for research, training, capacity-building and extension for the sustainable development of aquaculture.[17]

48. An FAO expert meeting was also held in April 2008 to review the impact of climate change on fisheries and aquaculture, and to examine options for climate change adaptation and mitigation. The meeting highlighted the constraints of and opportunities for implementing mitigation and adaptation strategies, identified

[16] The technical guidelines produced by FAO on International Principles for Shrimp Farming received the World Bank "Green Award 2000".

[17] Summary notes of the High Level Special Event on Role of Aquaculture in Sustainable Development, 19 November 2007, FAO, Rome, available from http://www.fao.org/fishery/topic/17000.

priorities and formulated recommendations.[18] The role of fisheries and aquaculture in world food security was also considered at the High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy, held in Rome from 3 to 5 June 2008.[19]

49. The fourth Session of the FAO Committee on Fisheries (COFI) Subcommittee on Aquaculture will be held in Puerto Varas, Chile, from 6 to 10 October 2008.

**Activities carried out by other relevant organizations and bodies**

50. CCSBT reported that it analysed the impact of aquaculture on the southern bluefin tuna stock through its stock assessment processes, and closely monitored the activities of any member involved in southern bluefin tuna aquaculture, including through catch and production reporting. Each Party to NASCO developed an implementation plan detailing the measures to be taken over the next five years to implement the NASCO agreements, including a resolution designed to minimize impacts from aquaculture, introductions and transfers and transgenics on wild salmon stocks. Reports on progress would be subject to critical review by a group comprising representatives of the NASCO parties and accredited NGOs. SEAFDEC cooperated with FAO and the Network of Aquaculture Centres in Asia and the Pacific in the field of aquaculture, including with respect to certification and labelling of aquaculture products. It also developed and promoted methods for environmental friendly techniques in the region, including in shrimp farming. HELCOM included the impacts of aquaculture in its assessments on the status of the environment, especially on the nutrient loading of waters, and GEF supported sustainable aquaculture in several large marine ecosystem projects.

## B. Addressing marine pollution

51. Marine pollution originates from various sources ranging from land-based sources, seabed activities, dumping, vessel-source pollution, and pollution from or through the atmosphere (Part XII, sect. 5, of the Convention). There are a number of direct and indirect threats to the marine environment from fishing activities and related activities, including derelict fishing gear, marine debris (for example, gear, twine, food containers, etc.), pollution from at-sea processing and coastal processing plants, and greenhouse gas emissions from vessels. It is estimated that approximately 30 per cent of all marine debris originates from the fishing industry, and that 8 million items of marine debris from all sources enter the oceans and seas every day.[20] Ghost fishing can also occur when fishing gear has either been lost or abandoned at sea and continues to catch and kill fish.

52. The General Assembly has repeatedly called upon States and relevant organizations to address the issue of lost, abandoned or discarded fishing gear and related marine debris and their adverse impacts on fish stocks, habitats and other

[18] See "Options for Decision Makers", Workshop on Climate Change and Fisheries and Aquaculture, FAO Headquarters, Rome, 7-9 April 2008, available from http://www.fao.org/foodclimate/hlc-home/en.

[19] High-Level Conference on World Food Security: the Challenges of Climate Change and Bioenergy, 3-5 June 2008, Rome, see http://www.fao.org/foodclimate/hlc-home/en.

[20] See A/60/63, paras. 232-283; A/62/66/Add.2, paras. 28-50; and UNEP/GPA, *The State of the Marine Environment: Trends and processes* (The Hague, September 2006).

marine species (see, e.g., resolutions 60/31, paras. 77-81 and 62/177, para. 104). The Assembly has also urged States to implement the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) and accelerate activity to safeguard the marine ecosystem, including fish stocks, against pollution and physical degradation (see, e.g., resolution 62/177, para. 103). GPA was designed to assist States in taking actions that would lead to the prevention, reduction, control or elimination of the degradation of the marine environment, and to its recovery, from the impacts of land-based activities (see A/62/66, paras. 268-272).

### 1. Derelict fishing gear and other marine debris

#### (a) Measures taken by States

53. The European Community, Morocco, Norway, the United States and the Bolivarian Republic of Venezuela reported on new efforts, or on progress in ongoing efforts, to address derelict fishing gear and other marine debris and to implement paragraphs 77 to 81 of General Assembly resolution 60/31 (see also A/62/260, paras. 51-53). EC banned the use of deep sea gill nets in additional areas of the North Atlantic in waters deeper than 600 metres and only permitted their use at some other depths under conditions that included provisions designed to avoid ghost fishing. It was also considering adopting similar measures in other waters of the North Atlantic. Moroccan fishers were made aware of the impact of lost gear and the problems of ghost fishing and were encouraged to recover any lost gear found during fishing operations. Norway planned to increase efforts to cooperate with other countries on recovery programmes, and it continued to raise the issue of marine debris within NEAFC and at annual consultations with neighbouring countries. The United States conducted several research projects on the impacts of lost or abandoned gear, including studies of the loss of crab pots and their impact on marine species on the east coast and the documenting of marine species caught in derelict nets on the west coast, and it reviewed literature on the impacts of derelict fishing gear on fisheries to ascertain data gaps. It also continued programmes on the removal of derelict fishing gear, including from the coral reefs of the North-western Hawaiian Islands, and on the provision of gear disposal and recycling facilities. A number of projects were under way to identify areas of derelict fishing gear accumulation, determine the amount of derelict fishing gear in federally protected areas, and spread removal programmes through coastal states. Research on the impact of derelict fishing gear on species was also ongoing. The Bolivarian Republic of Venezuela indicated that national regulations were in place to deal with derelict fishing gear, including specific prison penalties and fines for dumping or throwing objects or debris that could degrade, poison or contaminate bodies of water and for the dumping of pollutants or wastes that were harmful to human health and the environment.

54. In July 2007, the United States co-hosted a workshop for representatives of Caribbean nations and stakeholder groups to discuss derelict fishing gear in the wider Caribbean region. The workshop addressed the types and sources of derelict fishing gear in the Caribbean, the extent of the problem of derelict fishing gear, and what could be done to address it. Participants created an action plan to survey Caribbean nations on the scope of derelict fishing gear problems in their jurisdictions.

**(b) Measures adopted by regional fisheries management organizations or arrangements**

55. A number of RFMO/As also reported on progress in implementing paragraphs 77 to 81 of General Assembly resolution 60/31. NAFO did not have specific measures in place concerning lost or abandoned gear and marine debris, however, the need to minimize pollution and waste originating from fishing vessels was recognized in the amended NAFO Convention, which was adopted in 2007. NEAFC banned the use of gill nets below depths of 200 metres and adopted a recommendation on the removal and disposal of unmarked or illegal fixed gear and retrieval of lost fixed gear, which entered into force in 2008. Solid waste was a common problem in the marine and coastal areas of the SEAFDEC region, but the proportion made up of lost and discarded fishing gear had not been studied on a regional scale. States taking part in negotiations for the SPRFMO had not taken measures relevant to marine debris, but the draft convention text under consideration contained provisions relating to the need to minimize adverse impacts of lost or abandoned fishing gear. Problems related to marine debris and derelict fishing gear were also highlighted at the fourth meeting of WCPFC in December 2007 and it was suggested that these issues should be considered in future meetings of the organization.

**(c) Activities of other relevant organizations and bodies**

56. The General Assembly invited the International Maritime Organization (IMO), in consultation with relevant organizations and bodies, to review annex V to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL), and to assess its effectiveness in addressing sea-based sources of marine debris (see resolution 60/30, para. 67). The Assembly subsequently requested FAO to consult with IMO in its efforts related to marine debris (see resolution 62/177, para. 105).

57. In response, IMO was reviewing MARPOL annex V and its guidelines, in consultation with relevant organizations and bodies, to assess the effectiveness of annex V in addressing sea-based sources of marine debris. To that end, it had established a Correspondence Group to develop the framework, method of work and timetable for a comprehensive review of MARPOL annex V and the associated Guidelines for its implementation, and a number of issues related to how ships manage their wastes were being considered, including concerns regarding abandoned, lost or discarded fishing gear. FAO had forwarded its technical comments related to the annex V review to the IMO Correspondence Group.

58. The issue was also discussed during the second session of the Joint FAO/IMO Ad Hoc Working Group on Illegal, Unreported and Unregulated Fishing and Related Matters (Joint FAO/IMO Ad Hoc Working Group), held in Rome, from 16 to 18 July 2007 (see IMO document MSC/83/INF.12, annex). The Joint FAO/IMO Ad Hoc Working Group noted that abandoned, lost or discarded fishing gear had a high probability to ghost fish and that such fishing could be a symptom of the "unreported" component of IUU fishing. It was recognized that any changes to the legally binding text of MARPOL annex V and Guidelines should aim to minimize both the occurrence and the impacts of such gear from all fishing vessels. The Joint FAO/IMO Ad Hoc Working Group reported that few States had implemented the

Guidelines associated with MARPOL annex V, especially with respect to measures for reporting, disposal, recycling and retrieval of lost gears.

59. FAO advised the Joint FAO/IMO Ad Hoc Working Group that it would address the issue of lost or discarded fishing gear through the further development of standards for the marking of fishing gear. It also informed the Joint FAO/IMO Ad Hoc Working Group that standard setting would contribute to the development and implementation of programmes to prevent and recover marine debris, as urged in General Assembly resolution 62/177. FAO would continue to promote the issue of abandoned, lost and discarded fishing gear within its activity, "Impact of fishing on the environment", through the promotion and use of environmentally friendly fishing gears, and the formulation of best practice guidelines for fishing operations.

60. UNEP indicated that it had undertaken, in cooperation with FAO, a global review of the problem of derelict fishing gear in order to achieve greater coordination and cooperation among relevant United Nations related organizations and to encourage a more concerted and comprehensive response to this issue. The review aimed, inter alia, at assessing the feasibility of joint programmes, activities, and capacity-building between RFBs and regional seas programmes (RSPs). In addition, UNEP and FAO entered into a second memorandum of understanding for the preparation of a study entitled "Abandoned, lost and otherwise discarded fishing gears".

### 2. Other sources of marine pollution

61. Cambodia, Kuwait, Latvia, Mexico, Morocco, Norway, the United States, the Bolivarian Republic of Venezuela and Yemen reported on progress in the implementation of GPA, including through the enforcement of regional instruments (Latvia), implementation of national legislation (Bolivarian Republic of Venezuela) and cooperation with UNEP/RSPs on projects for the protection of the marine environment from land-based activities (Yemen). Kuwait adopted coordinated measures to restrict the destruction of fish habitats from coastal developments, dredging, reclamation, and pollution load in its territorial waters. Mexico was implementing the Regional Action Programme for the Control of Land-based Sources of Marine Pollution from the Yucatan Peninsula, which was a pilot programme for implementing actions under GPA. It was also participating in a transboundary diagnostic analysis for the large marine ecosystem of the Gulf of Mexico as part of a project to, inter alia, reduce pollution from land and marine sources. Morocco promulgated a national law on the protection and development of the environment, including protection against all forms of pollution and degradation from any source. Norway was developing and implementing integrated management plans for certain sea areas to provide a framework for the sustainable use of natural resources and goods derived from the sea. The United States and UNEP/GPA established a framework for cooperation on activities related to coastal and marine pollution from land-based sources of pollution in the wider Caribbean region, which provided support to 15 countries in the development and implementation of national programmes of action to reduce and control land-based sources of pollution and protect adjacent coastal and marine ecosystems (for information on previous activities, see A/62/260, para. 59).

62. Cambodia noted the need for assistance and support to developing States in the implementation of GPA. The United States reported that it provided a financial

contribution to UNEP/RSP to support GPA to reduce the effects of land-based sources of marine pollution.

## C. Towards the protection of vulnerable marine ecosystems from destructive fishing practices

63. At its sixty-first session, the General Assembly conducted a review of the progress on actions taken by States and RFMO/As, in response to the requests made in paragraphs 66 to 69 of resolution 59/25, to address the impacts of fishing on VMEs, including bottom trawling that had adverse impacts on VMEs. Following the review, the General Assembly, in paragraphs 80 to 90 of its resolution 61/105, called upon States, inter alia, to take action immediately, individually and through RFMO/As, to sustainably manage fish stocks and protect VMEs from destructive fishing practices, and to adopt and implement measures to regulate bottom fisheries. It also requested the Secretary-General to include in his report on fisheries to the Assembly at its sixty-fourth session a section on the relevant actions taken.

64. An interim report on the actions taken by States and RFMO/As to give effect to paragraphs 83 to 90 of resolution 61/105 to address the impacts of fishing on VMEs was provided by the Secretary-General to the General Assembly at its sixty-second session (see A/62/260, paras. 73-96; see also A/61/154). The present section provides a second interim report on the subject to the Assembly, in accordance with paragraphs 97 and 98 of resolution 62/177. A full report will be submitted by the Secretary-General in his report on sustainable fisheries to the General Assembly at its sixty-fourth session, in 2009, at which time the Assembly will conduct a further review of actions taken by States and RFMO/As, with a view to further recommendations, where necessary (see resolution 61/105, para. 91).

### 1. Sustainable fisheries and protection of vulnerable marine ecosystems from destructive fishing practices

#### (a) Measures taken by States

65. Bahrain, Cambodia, Canada, EC, Japan, Kuwait, Mexico, Morocco, New Zealand, Qatar, Spain and the United States reported on new or ongoing efforts to sustainably manage fish stocks and protect VMEs from destructive fishing practices, including through the establishment of MPAs where fishing was restricted or prohibited (see also A/62/260, paras. 66-72).

66. Some States had adopted management measures to restrict certain fishing activities in areas within national jurisdiction, including by prohibiting fishing activities in nursery grounds or during spawning periods (Kuwait, Morocco), or by prohibiting trawl fishing in shallow waters (Cambodia, Mexico, Qatar). Kuwait had adopted gear restrictions for bottom trawlers in areas under national jurisdiction, including mesh size restrictions and the use of by-catch reduction devices. Morocco and Qatar have regulated or prohibited fishing gear that may harm the marine ecosystem, and Cambodia and Kuwait had prohibited certain destructive fishing practices, such as the use of poisons and explosives.

67. Bahrain was considering ways to close certain coastal areas to fishing altogether, or during breeding seasons. Canada continued to establish MPAs to add to its current network of protected areas in the Pacific. Morocco prohibited or

regulated coral harvesting in certain areas and required environmental and resource-impact studies before some projects were authorized. Qatar designated marine reserves where fishing was permanently banned, and it prohibited fishing in some coral reefs.

68. Mexico was promoting an environmental fishing agenda to reduce the impact of trawler gear, and trawler boats in shrimp fisheries were required to present an environmental impact statement to ensure the sustainability of fishing activity, and minimize any impacts to endangered species and any other effect on the ecosystem. New Zealand developed a strategy for managing the environmental effects of fishing, which established the framework, including principles and processes, for the setting of environmental standards for the limits of acceptable environmental effects of fishing on the marine environment.

69. The United States had taken significant actions, principally through its regional fisheries management councils, to protect VMEs from destructive fishing practices, including by designating essential fish habitats, habitat areas of particular concern, national marine sanctuaries, and no-take reserves. Such measures included freezing the footprint of bottom trawling by limiting trawl effort to areas more recently trawled; amendments to existing fishery management plans to protect essential fish habitat and habitat areas of particular concern; additional actions to expand protections for essential fish habitat areas containing VMEs; new guidelines for identifying essential fish habitat and habitat areas of particular concern; and closing areas to bottom contact gear to help establish a network of no-take reserves and limited take zones.

70. Several States were also participating in projects to study the impacts of fisheries on VMEs, including the mapping of such ecosystems. Cambodia participated in the UNEP-GEF programme, "Reversing environmental degradation trends in the South China Sea and Gulf of Thailand", which supported the study of the impact of fisheries on VMEs, and was instrumental in mapping and assessing VMEs in Cambodia's ecosystems such as coral reefs, sea grass beds and mangroves. Spain conducted research campaigns to locate vulnerable seabeds in areas of the North-East Atlantic. The results were provided to the International Council for the Exploration of the Sea (ICES) to support its work, which ultimately led NEAFC to close some areas to fishing. Spain also planned to map the Patagonia platform's seabeds in areas beyond national jurisdiction of the South-East Atlantic.

71. EC continued to support research on MPAs and held a symposium in Spain in September 2007 on this subject. The symposium addressed MPAs as a tool for fisheries management and ecosystem conservation, including the ecological effects of MPAs, their effects on fisheries and other uses, assessment of MPA performance, tools for MPA planning and design, and issues of science, management and stakeholders.[21]

72. With respect to areas beyond national jurisdiction, EC was developing new policies to prevent destructive fishing practices on the high seas and protect vulnerable deep sea ecosystems. Japan and New Zealand were also implementing interim measures adopted by States participating in the establishment of new

[21] See European Symposium on Marine Protected Areas as a Tool for Fisheries Management and Ecosystem Conservation: Emerging science and interdisciplinary approaches, available from www.mpasymposium2007.eu.

RFMOs. Norway, the United States and the Bolivarian Republic of Venezuela also reported on their support for, or active participation in, the FAO process to develop international guidelines for the management of deep sea fisheries in the high seas, as requested in paragraph 89 of General Assembly resolution 61/105. The process was tasked to further develop standards and criteria for use by States and RFMO/As in identifying VMEs in areas beyond national jurisdiction as well as the impacts of fishing on such ecosystems, and to establish standards for the management of deep sea fisheries in order to facilitate the adoption and the implementation of conservation and management measures pursuant to paragraphs 83 and 86 of resolution 61/105.

**(b) Measures taken by regional fisheries management organizations or arrangements**

73. CCAMLR adopted measures to freeze the footprint of all bottom fishing activities to areas currently approved for bottom fishing through November 2008 in order to regulate bottom fisheries and protect VMEs in its regulatory area. All subsequent individual bottom fishing activities would be subject to assessment by the CCAMLR Scientific Committee. In September 2007, NAFO adopted interim measures that established a coral protection zone and closed all fishing activities involving bottom contact gear in another area, from 1 January 2008 until 31 December 2012.[22] New measures to protect VMEs were also adopted at the NAFO Fisheries Commission Intersessional Meeting on Vulnerable Marine Ecosystems, held from 5 to 7 May 2008. NAFO will map current fishing areas and assess if current fishing practices are having an impact on vulnerable areas.

74. In October 2007, SEAFO decided that resumption of fishing activities in several closed areas had to be preceded by the identification and mapping of VMEs, and an assessment of the impact of any resumption of fishing on such ecosystems.[23] In a recommendation adopted in November 2007, NEAFC provided for the closure of some areas in its regulatory area to protect deep-water corals.[24] States participating in negotiations for the establishment of a new RFMO in the North-Western Pacific Ocean further strengthened interim measures on bottom fisheries in order to enhance and clarify their implementation in a number of key areas.

75. The issues discussed at the ICES-NAFO Working Group on Deepwater Ecology, held in Copenhagen in March 2008, included coldwater coral and seamount mapping, overlaying VMS data with coldwater coral maps to ascertain fishing pressure on vulnerable deepwater habitats, and governance issues such as developing MPAs and habitat areas of particular concern.

**(c) Activities carried out by FAO**

76. A Technical Consultation on International Guidelines for the Management of Deep Sea Fisheries in the High Seas was convened by FAO in Rome in February 2008.[25] The Technical Consultation did not complete its review of the draft

[22] NAFO Fisheries Commission, FC Doc. 07/24, annex 24, "Interim measures to prevent significant adverse impacts on vulnerable marine ecosystems".

[23] Conservation measure 11/07 laying down conditions for the resumption of fishing activities in areas subject to closure through conservation measure 06/06.

[24] Recommendation IX: 2008, available at www.neafc.org/measures/current_measures/docs/09-rec_corals.pdf.

[25] TC:DSF2/2008/2, available at ftp://ftp.fao.org/FI/DOCUMENT/tc-dsf/2008_2nd/Default.htm.

International Guidelines, and a second session was scheduled to be held in Rome, from 25 to 29 August 2008.

77. An FAO Expert Consultation on the Development of a Comprehensive Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels was held in Rome in February 2008, and discussed general concepts, including the gathering of data from sources such as RFMO lists, national vessel registers and other available sources, that may ultimately contain information on authorized vessels, but not specifically on those engaged in high seas deep sea fisheries. It also received a briefing on the draft International Guidelines being considered by the Technical Consultation on International Guidelines for the Management of Deep Sea Fisheries in the High Seas, which may have implications for the development of a global record. The draft Guidelines included provisions containing reporting obligations for States to make publicly available, through FAO, a list of vessels flying their flag and authorized to conduct deep sea fisheries. It had not been determined whether or how such vessel data might be collected under the draft International Guidelines. The data included in the High Seas Vessels Authorization Record under the FAO Compliance Agreement was seen as inadequate for this purpose, largely owing to limited submissions and incomplete data, making it difficult to differentiate between deep sea fishing vessels, and for many of the same reasons recognized by the Expert Consultation (see also paras. 99 and 100 below).

78. In addition, FAO was developing a project proposal that would allow it to take a lead role in coordinating a central database on fisheries and VMEs in areas beyond national jurisdiction. Such a database was considered essential for the implementation of the draft International Guidelines and would provide a global perspective on these fisheries and ecosystems and on their management. States and RFMOs would be required to identify areas of known or likely VMEs in the high seas and take necessary action, as provided in General Assembly resolution 61/105, and as specified in the draft International Guidelines. The extensive work done on this topic by a variety of research institutes and organizations would require coordination among relevant partners.

## D. Developments on efforts to establish marine protected areas for fisheries purposes

79. Spatial and temporal closures and gear restrictions have traditionally been used as a tool in conventional fisheries management to protect fish stocks and other vulnerable species (see, generally, A/62/66/Add.2, paras. 137-147). Recent attention, however, has focused on the specific role of MPAs in the conservation and management of marine living resources and the protection of vulnerable habitats.[26] The General Assembly has encouraged accelerated progress to establish criteria on the objectives and management of MPAs for fisheries purposes, and in that regard it has welcomed the proposed work of FAO to develop technical guidelines on the

[26] The Ad Hoc Open-ended Informal Working Group made reference to the progress that had been made to implement area based management tools beyond areas of national jurisdiction by, inter alia, RFMOs, and underlined the importance of continued progress. Some delegations argued that progress needed to be made within existing regional and sectoral bodies towards the identification and designation of areas in need of protection, and it was noted that, inter alia, RFMOs had an important role in that regard (see A/63/79, paras. 28 and 30).

design, implementation and testing of MPAs for such purposes, and urged coordination and cooperation among all relevant international organizations and bodies (resolution 62/177, para. 102).

80. It is widely recognized that MPAs play an important role in marine biodiversity conservation, including fishery resources conservation and management, owing to potential benefits they can provide in protecting critical ecosystem components or processes from negative impacts of fishing as well as other human activities, such as coastal zone development and oil and gas extraction. If properly implemented, MPAs can lead to higher densities, biomass, mean size of organisms and diversity of species within their boundaries, although this general result is influenced by factors such as the species composition, the nature and intensity of the activities being displaced by restrictions, and fishing intensity outside the protected area. In some cases, MPAs have been clearly found to have some benefits for fisheries performance beyond their boundaries, but the potential role of MPAs in this regard needs to be carefully evaluated in comparison to other management tools on a case-by-case basis, taking into account the objectives being pursued, the relevant local biological and ecological characteristics, and the nature and spatial characteristics of the fishery and the people dependent on it.[27]

81. The FAO technical guidelines on MPAs as a fisheries management tool were in the final stage of development and included the work and review of experts from diverse backgrounds and geographic foci. Experts from relevant non-governmental and intergovernmental organizations were also associated with the process. It was anticipated that country level case studies would complement the information provided in the guidelines and highlight specific issues related to MPAs in a fisheries context.

# V. Addressing impediments to sustainable fisheries

## A. Overview of unsustainable fishing practices

82. Fisheries provide a vital source of food, employment, trade and economic well-being for people throughout the world, and should therefore be conducted in a responsible manner in order to meet the needs of both present and future generations. However, the occurrence of unsustainable fishing practices in the fishing sector, such as the persistence of overcapacity and institutional overfishing, IUU fishing, the use of unselective fishing gear and techniques with their toll of excessive by-catch and destruction of marine habitats, as well as the continuation of

[27] "Implementing the ecosystem approach to fisheries, including deep-sea fisheries, biodiversity conservation, marine debris and lost or abandoned fishing gear" (COFI/2007/8), available from http://www.fao.org/fishery/about/ccfi/meetings.

large-scale pelagic drift-net fishing, have adverse impacts on the long-term conservation, management and sustainable use of marine fishery resources (see A/62/260, paras. 101-105).[28]

83. Several international fishery instruments have been adopted over the past 15 years to address these practices and foster international cooperation. While these instruments have raised public awareness of the urgency of curbing unsustainable fishing practices, they have not translated into substantial improvement in the overall management of world fishery resources, owing to their lack of, or insufficient, implementation. For these instruments to be effective in ensuring fisheries governance, it is imperative that all States and RFMOs implement them fully at the national, subregional or regional level, as appropriate.[29]

## B. Measures to address unsustainable fishing practices

### 1. Illegal, unreported and unregulated fishing

#### (a) Measures taken by States

*Legal and policy framework to combat illegal, unreported and unregulated fishing*

84. EC, Kuwait, Oman, Senegal, Spain, Suriname and the United States reported that they had established the necessary legal framework to address IUU fishing activities. A number of them had developed and implemented NPOAs (Canada, New Zealand, Oman, Spain, United States, Bolivarian Republic of Venezuela, Yemen) and regional plans of action,[30] and strategies[31] to implement the FAO IPOA-IUU. Such frameworks included provisions aimed at, inter alia, deterring nationals from

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[28] The issue of IUU fishing was considered by the ninth meeting of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea, held at United Nations Headquarters in New York, from 23 to 27 June 2008, during its discussions on the topic "Maritime security and safety". It was proposed that the General Assembly recognize that illegal fishing poses a threat to the economic, social and environmental pillars of sustainable development. Divergent views were expressed on the existence of a link between IUU fishing and organized crime, and some countries suggested that an in-depth dialogue with relevant stakeholders at all levels be carried out with a view to producing a multidisciplinary study on the issue (see Agreed Consensual elements to be suggested to the General Assembly for consideration under its agenda item entitled "Oceans and the law of the sea", available at www.un.org.Depts/los/index.htm).

[29] Delegations at the Ad Hoc Open-ended Informal Working Group generally recognized that there were implementation gaps in the international legal framework and emphasized the need for full and effective implementation of existing instruments, including available principles and tools, and for the strengthening of existing institutions and arrangements and enhanced cooperation and coordination. Specific issues raised in this context included improved flag State control, developing port State control and market measures, performance reviews of RFMOs, increased coverage of regional arrangements in terms of geographical scope and species, as necessary, and the need to implement resolution 61/105 of the General Assembly with respect to the impacts of bottom fishing on vulnerable marine ecosystems (see A/63/79, para. 40).

[30] Cambodia referred to the Regional Plan of Action to Promote Responsible Fishing Practices including Combating IUU Fishing in the South-East Asian region adopted in May 2007.

[31] EC: New strategy for the Community to prevent, deter and eliminate illegal, unreported and unregulated fishing (COM (2007) 601 final); Mexico: The National Programme for Fisheries Inspection and Surveillance.

participating in IUU fishing and IUU-related activities,[32] establishing sanctions against nationals operating fishing vessels under flags of convenience,[33] requiring certification by the flag State (EC) of fish catches landed by foreign fishing vessels in their ports, as well as improving the traceability of fish and fish products (EC, Mexico, Senegal, Spain), including compulsory labelling throughout the marketing chain, from the marketplace to the consumer (Spain; see also A/62/260, para. 106).

85. States also referred to domestic legislation that prohibited unauthorized fishing in areas under the national jurisdiction of other States and in areas covered by RFMO/As,[34] as well as the export of fishing vessels to States that were not parties to the Agreement or the FAO Compliance Agreement (New Zealand, Norway). Norway reported that it was in the final stages of developing a new ocean resources law, which would have provisions that specifically targeted IUU fishing, including measures regarding nationals and beneficial owners.

86. Several States further reported that they had strengthened the international legal framework for cooperation to combat IUU fishing, in particular at the subregional and regional levels (Cambodia), and within RFMOs of which they were members (Mexico, New Zealand, Norway, United States). Such activities involved the establishment of adequate systems and schemes aimed at deterring IUU fishing, including the requirement of VMS, the listing of fishing vessels and the adoption of trade monitoring schemes, as well as the sharing of data on landings and catch quotas.

87. With regard to the question of genuine link, one State indicated that while it had raised this issue with other States in some RFMO/As of which it was a member, it was not aware of any work being undertaken in these organizations and arrangements to clarify the role of genuine link in relation to the duty of States to exercise effective control over fishing vessels flying their flag. It envisaged working through relevant global international organizations, such as FAO and IMO, as well as through RFMO/As to address IUU fishing issues associated with "flags of convenience" vessels and the requirement for a "genuine link" (New Zealand). Other States that reported on this subject indicated that they already either worked with RFMO/As to clarify the role of "genuine link" (Bolivarian Republic of Venezuela), or were willing to cooperate with other States and RFMO/As to address this issue (United States).

88. A number of respondents (EC, Norway, United States) supported the recommendation by the FAO Committee on Fisheries in 2007 that the FAO should develop criteria for assessing the performance of flag States, as well as examine possible actions against vessels flying the flags of States not meeting such criteria. The same respondents indicated that they had participated in a workshop hosted by Canada in March 2008, which provided an opportunity for dialogue on the development of criteria for assessing flag State performance. At the regional level, several States (Morocco, New Zealand, Norway, United States, Yemen) reported that they were cooperating with other States within RFMOs of which they were members

[32] EC: New strategy for the Community; Latvia; New Zealand: Fisheries Act 1996; Mexico: National Programme for Fisheries Inspection and Surveillance; Spain: Royal Decree 1134/2002; United States.

[33] Spain: Royal Decree 1134/2002 of 31 October 2002.

[34] Bahrain, Latvia, Mexico, New Zealand: Antarctic Marine Living Resources Act 1981 and Regulations 2000, Norway, United States: Lacey Act amendments of 1981.

in developing mechanisms to assess the performance of States in meeting their obligations in respect of vessels flying their flags fishing in areas under the competence of these RFMOs.

*Monitoring, control and surveillance and enforcement measures to combat illegal, unreported and unregulated fishing*

89. **Implementation of flag State duties.** Several respondents (Algeria, EC, Morocco, New Zealand, Norway, Poland, Qatar, Senegal, Spain, United States, Bolivarian Republic of Venezuela) reported that, in the implementation of their flag State duties under relevant international instruments, they had taken measures to prevent vessels flying their flag from engaging in IUU fishing. Such measures included: the establishment of a register of fishing vessels flying their flag authorized to fish on the high seas (Latvia, Mexico, Morocco, New Zealand, Senegal, Bolivarian Republic of Venezuela), the requirement of high seas fishing licences or permits (Canada, Latvia, Mexico, Morocco, New Zealand, Norway), gear requirements (New Zealand), mandatory reporting (New Zealand, Norway, Oman, Bolivarian Republic of Venezuela), observer programmes (Canada, Mexico, Morocco), inspection schemes (Canada, EC, Morocco, New Zealand, United States), the obligation to carry VMS,[35] the control of landings (Mexico, Morocco, New Zealand) and transshipments (Canada, Kuwait, Mexico, Morocco, New Zealand, Norway, Senegal, United States, Bolivarian Republic of Venezuela), including prohibition of at-sea transshipments (United States). To ensure compliance with high seas fisheries regulations, a number of States imposed stiff sanctions on vessels that contravened international conservation and management measures in order to deprive offenders of the benefits accruing from their illegal activities (EC, Mexico, New Zealand, Oman, United States, Bolivarian Republic of Venezuela). In Morocco, New Zealand and the United States, sanctions for fisheries-related offences included both civil and criminal penalties.

90. In addition, a number of flag States cooperated through existing RFMO/As to combat IUU fishing. As a first step, several States (New Zealand, Norway, United States) prohibited vessels flying their flag from fishing in the convention areas of RFMO/As of which they were not members. They had also coordinated their actions with RFMO/As to develop strategies and measures to deter the activities of vessels which undermined conservation and management measures adopted by RFMO/As (EC member States, Kuwait, Mexico, New Zealand, Norway, Poland, Bolivarian Republic of Venezuela), including the implementation of trade monitoring schemes (New Zealand, Norway, United States), regional VMS (Canada, New Zealand, Norway, United States) and observer programmes (United States), enforcement of RFMO/As regulations on transshipments at sea (Canada, Latvia, Norway), and the adoption of positive and negative lists of fishing vessels (Canada, Latvia, Morocco, New Zealand, Norway, United States). Norway indicated that, on the basis of its initiatives, five RFMO/As had now established joint "black lists" of IUU fishing vessels.

[35] Algeria, Cambodia, Canada, Latvia, Mexico, Morocco, New Zealand, Norway, Oman, Poland, Qatar, Senegal, Suriname, United States: (the United States supported the updating of existing FAO Technical Guidelines on VMS, through the addition of a model legislative text, to facilitate the use of VMS as part of each flag State's efforts to monitor and control its fishing vessels), Bolivarian Republic of Venezuela.

91. Furthermore, Canada, New Zealand and Norway reported that they were operating high seas inspection schemes, whether as the result of bilateral arrangements with other States on enforcement matters or within the framework of RFMO/As, which allowed the possibility for their inspectors and those of other States to participate in high seas inspection of fishing activities. Other States reported that they were participating in the MCS Network (Canada, Mexico, Norway, United States) and made particular reference to their participation in the forthcoming Second Global Fisheries Enforcement Training Workshop, to be held in Norway in August 2008 (Canada, Morocco, Norway, United States).

92. **Implementation of port State measures.** Several respondents reported that they had implemented or enhanced port State measures to combat IUU fishing, including measures that prohibited vessels from accessing their ports when there was clear evidence that they were or had been engaged in, or had supported IUU fishing; or when such vessels refused to give information, either on the origin of the catch or the authorization under which the catch had been made. These measures were taken individually by States in accordance with their domestic legislation (Canada, EC, Mexico, Morocco, New Zealand, Norway, Poland, Spain, United States), as well as within the framework of RFMO/As of which they were members (Algeria, Latvia, New Zealand, Norway, Poland, Spain, United States). For instance, New Zealand required prior approval for all foreign flagged fishing vessels seeking access to its ports and any authorized vessel was subject to inspections and investigations upon arrival to ports. Canada required foreign flagged fishing vessels seeking port access to provide reasonable advance notice of entry into port, a copy of the authorization to fish and details of the fishing trips and quantities of fish on board. Vessels in Canadian ports were under obligation to provide information regarding their flag State, identification details, and information regarding the master of the vessel, fishing gear, catch on board and other relevant information. Any landing or in-port transshipment was required to undergo port inspection and be subject to Canada's Dockside Monitoring Programme. EC required all non-EU flag States to certify that all fish and fishery products onboard their fishing and transshipment vessels had been caught legally before the vessels were allowed access to EU ports. Mexico legislation prohibited foreign-flagged fishing vessels from landing commercial fishery products in Mexican ports, except in cases of emergency or when explicitly authorized and when specific requirements were met. Spain had established a register of all foreign vessels landed at its ports, allowing it to close them to IUU vessels. The United States and Spain reported that they had denied port access to IUU vessels listed by relevant RFMOs.[36] Norway stated that it had been leading the process to develop new and adequate schemes for port State control and indicated that the NEAFC 2006 port State scheme for the North-East Atlantic region was based on a Norwegian initiative (see also A/62/260, paras. 116-117).

93. In addition, Canada, Morocco, New Zealand, Norway and the United States expressed their support for the current efforts of FAO to draft a legally binding instrument on port State measures and indicated their willingness to participate in the Technical Consultation held in June 2008.

[36] For Spain, these RFMOs were CCAMLR and NEAFC. For the United States, these RFMOs were CCAMLR, IATTC, ICCAT, NAFO and WCPFC.

94. **Implementation of trade-related measures.** In support of the effectiveness of conservation and management measures established by RFMO/As, several respondents had implemented trade-related measures to strengthen actions against IUU fishing activities (Canada, EC, Latvia, Mexico, New Zealand, Senegal, Spain, United States). EC required flag State certification of legality for all fishing products entering the EU market. Canada had domestic initiatives to allow tracing of fish and fishery products, such as the Pacific Integrated Commercial Fisheries Initiative, which contained traceability elements intended to increase Canada's ability and capacity to trace fishery products from harvesting to consumption. New Zealand, Norway and the United States implemented the CCAMLR Catch Documentation Scheme, as well as other trade-related measures adopted in RFMOs of which they were members.[37] The United States had taken the lead in promoting the use of trade tracking schemes in RFMOs such as CCAMLR, ICCAT and IATTC. In the same vein, Latvia and EC were promoting the adoption by RFMO/As of harmonized catch certification schemes that would enable effective control of fishery products, from the condition of their catches to their entry into markets. Morocco, Senegal and Spain had established regulations on the traceability of fish and fishery products and Norway was supporting national pilot projects that implemented traceability systems in the seafood industry with the aim of uncovering illegally caught fish in the market.

### (b) Measures adopted by regional fisheries management organizations or arrangements

95. An increasing number of RFMO/As were coordinating their efforts to combat IUU fishing. Important elements of this strategy were the development of lists of IUU fishing vessels suspected of engaging in IUU fishing in their regulatory areas and the active cooperation among RFMO/As for mutual recognition of their respective IUU lists (CCSBT, GFCM, IATTC, ICCAT, NAFO, NEAFC, SEAFO, WCPFC). Several RFMO/As, such as GFCM, IATTC, ICCAT, NAFO, NEAFC and SEAFO had taken steps to exchange their IUU vessel lists with other organizations and arrangements for the purpose of enhancing coordination and cooperation among them. Inclusion of any fishing vessel and transshipment vessel (reefers) in an IUU list would bar these vessels from access to ports for landings and other services (GFCM, NEAFC, SEAFO). In other developments, CCSBT reported that it was participating with other tuna RFMO/As in the development of a global register of vessels authorized to fish in their respective regulatory areas.

96. As further measures to combat IUU fishing, several RFMO/As were requiring members to exercise flag State control over their fishing vessels operating in their respective regulatory areas (ICCAT, IATTC, NAFO, NEAFC, SEAFO). These measures required member States to: (a) use mandatory VMS (CCSBT, GFCM, ICCAT, SEAFO); (b) list vessels authorized by them to fish in the regulatory areas (CCSBT, GFCM, IATTC, NAFO, SEAFO, WCPFC); (c) authorize observers of other member States to carry out functions on board their vessels (SEAFO, WCFPC); and (d) regulate transshipments (CCSBT, ICCAT, SEAFO, WCPFC). These RFMO/As had also implemented documentation schemes, including the catch documentation scheme (CCAMLR, CCSBT, IATTC, ICCAT), to assist in the

[37] Morocco, New Zealand (member of CCSBT), and Norway and the United States (members of ICCAT).

identification and tracing of fish caught in contravention of conservation and management measures. In addition, NAFO required all fish and processed fish harvested in its regulatory area to be labelled in such a way that species, product category and date of capture were identifiable. The interim secretariat of SPRFMO reported that the draft convention of the future organization, which was currently under negotiation, incorporated provisions on port State measures and market-related measures, including measures to trace fish and fishery products.

**(c) Measures adopted by relevant intergovernmental organizations**

97. **Activities carried out by FAO.** In furtherance of its activities to combat IUU fishing activities, FAO reported that it had cooperated with Canada in connection with the organization of an expert consultation to develop criteria for assessing the performance of flag States and examine possible actions against vessels flying the flags of States not meeting such criteria, held in Vancouver, Canada, in March 2008. In accordance with a request made at COFI in 2007, FAO anticipated that it would convene an expert consultation on flag State performance before the end of 2008 so that it would be able to provide a report to the next meeting of COFI in March 2009. In addition, FAO indicated that ongoing cooperation had taken place between IMO, the International Labour Organization (ILO) and FAO on IUU fishing for many years, within the context of each organization's mandate. In 2007, the second Joint FAO/IMO Ad Hoc Working Group recommended strengthening the working relationship between IMO and FAO through more regularized meetings and identified a number of areas for collaboration (see A/62/66/Add.1, paras. 127-128).

98. With particular reference to paragraph 57 of General Assembly resolution 62/177, FAO pointed out that it was not working at this time on the development of guidelines on flag State control of fishing vessels. As indicated above, FAO expected to convene before the end of this year an expert consultation on flag State performance.

99. As to the establishment of a comprehensive global record of fishing vessels, FAO reported that an FAO Expert Consultation on Development of a Comprehensive Global Record of Fishing Vessels, Refrigerated Transport Vessels and Supply Vessels was held in February 2008. The Expert Consultation, which stressed the urgency of this task, recognized the need for unique vessel and company identifiers, which would be extensive in scope and would not change even if the vessel changed flag, owner or name, and recommended their further development taking into account existing numbering schemes in use in IMO, EC, Lloyd's Register Fairplay, regional organizations and others. Further work on unique vessel identification schemes needed to be undertaken by a more specialized working group.

100. Such a global record, with an inclusive approach, could provide information to fisheries enforcement agencies, improve the traceability of vessels and fishery products in relation to IUU detection, provide transparency of vessel information and operation, strengthen risk assessment for both States and industry, and support decision-making on fleet capacity, management, safety, pollution, security, statistics and related issues. However, there was no intention behind the global record to create a "negative list".

101. **Activities carried out by other organizations and bodies.** Several international organizations reported that they had carried out activities to combat

IUU fishing in their respective areas of competence. The OECD Committee for Fisheries had undertaken studies to examine the environmental, social and economic effects of IUU fishing activities, explore the importance of IUU fisheries on the high seas, identify and analyse the economic drivers behind such activities and provide an inventory and analysis of possible actions that could be taken.[38] It also decided to work on a fisheries and aquaculture certification in its 2009-2011 Programme of Work in order to develop more effective measures to trace fish and fishery products. IMO was continuing its cooperation with FAO in combating IUU fishing through its participation in the FAO effort to develop a binding instrument on port State measures and the work of the Joint FAO/IMO Ad Hoc Working Group, including the consideration of the Working Group's recommendations in 2007. Those recommendations addressed such matters as the facilitation of the entry into force of the 1993 Torremolinos Protocol relating to the International Convention for the Safety of Fishing Vessels, 1977, as well as matters relating to flag States, port States, coastal States and market States. SEAFDEC cooperated with the Regional Plan of Action to Promote Responsible Fishing Practices (including Combating IUU Fishing) in the South-East Asian Region on MCS and ways to improve vessel registration.

102. GEF reported that, in cooperation with the World Bank, it was supporting sustainable fisheries development projects in nine West African countries under its Strategic Partnership for a Sustainable Fisheries Investment Fund in the Large Marine Ecosystems of Sub-Saharan Africa. The reduction of illegal fishing, the strengthening of the countries' capacity to sustainably govern and manage their fisheries, and an increase in the benefits derived from fisheries were among the objectives of the project. HELCOM indicated that the HELCOM Baltic Sea Action Plan addressed IUU fishing by urging the competent authorities to take action to further develop control of landings. The Convention on Biological Diversity advised that the thirteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, held in February 2008, had recommended to the ninth meeting of the Conference of the Parties that the Convention on Biological Diversity secretariat compile and synthesize available scientific information on the impacts of destructive fishing practices and IUU fishing on marine biodiversity and habitats, and submit such information for consideration to future meetings of the Subsidiary Body prior to the tenth meeting of the Conference of the Parties.

**(d) Activities carried out by non-governmental organizations**

103. The International Coalition of Fisheries Associations (ICFA) stated that it participated actively in domestic and international forums where IUU fishing was addressed. It intended to participate in the FAO Technical Consultation to draft a legally binding instrument on port State measures to prevent, deter and eliminate IUU fishing. In cases where industry technical advice was sought, ICFA experts may be available to assist States formulate technically feasible rules and procedures, including industry-developed, voluntary market-based measures for compliance purposes.

[38] The study is reflected in the OECD publication *Why Fish Piracy Persists: The Economics of Illegal, Unreported and Unregulated Fishing* (2005).

## 2. Fishing overcapacity

### (a) Measures taken by States

104. In its resolution 62/177, the General Assembly requested States to urgently reduce the world's fishing fleet overcapacity to levels commensurate with the sustainability of fish stocks, implement the IPOA-Capacity and eliminate subsidies that contributed to IUU fishing and overcapacity. It also requested States that were cooperating to establish RFMO/As to exercise voluntary restraint of fishing effort levels in the areas to be regulated under future RFMO/AS.

105. A number of respondents provided information on measures they had taken to reduce overcapacity in their fishing sector. EC stated that the Common Fisheries Policy regulated capacity containment and reduction of EC fleet through an entry-exit regime and capacity reference levels applicable to each member State (see A/60/189, para. 78). Latvia indicated that the European Fisheries Fund for 2007-2013 provided support for balancing the capacity of fishing vessels with fishery resources and it expected to reach a balance of its fleet by the end of 2013. Mexico was currently evaluating the size of its fishing fleet and drawing up a national plan of action on capacity. For Norway, the main instrument to reduce fishing overcapacity was the Structural Quota System (see A/62/260, para. 134). New Zealand indicated that its approach to managing fisheries, through the Quota Management System, did not use capacity controls (see A/60/189, paras. 81-82). Bahrain, Cambodia, Canada, Morocco, Oman, Senegal, Suriname and Yemen managed the fishing capacity of their fleet by limiting fishing licences, early retirement programmes, reducing or freezing fishing effort and access to some fisheries and fishing areas, and by introducing periods of biological rests. Cambodia had also mobilized its coastal small-scale fisheries communities to address the problem of overcapacity in coastal fisheries through a co-management policy. The United States national plan of action on capacity set the goal of significantly reducing or eliminating overcapacity in 25 per cent of United States-managed fisheries by 2009. Measures included buyout programmes and the implementation of limited access privileges for specific fisheries. The Bolivarian Republic of Venezuela stressed that discussions on fishing capacity should address the importance of maintaining the capacity level needed to cover domestic consumption demand, as well as the impact of reducing fishing capacity on economic activities, food security and national development plans.

106. As to the transfer of fishing capacity from one fishery to other fisheries, a number of States (Canada, New Zealand, United States) stated they were taking measures to strengthen management measures at the national and regional levels to control and prevent such transfers. Both New Zealand and the United States pointed out that, as participants in the negotiations for the establishment of the SPRFMO, they contributed to the adoption of precautionary interim conservation and management measures in 2007 for pelagic and bottom fisheries in the future convention area, pending the effective operation of the organization. Yemen suggested that voluntary restraint of fishing efforts should also be implemented in the regulatory area of the newly established South West Indian Ocean Fisheries Commission (SWIOFC). A number of respondents (Cambodia, Canada, Kuwait, Latvia, New Zealand, Norway, United States) indicated that they did not provide subsidies to their fishing fleets that contributed to IUU fishing and fishing overcapacity. New Zealand and the United States indicated that they were active

participants in the World Trade Organization negotiations on fisheries subsidies. The Bolivarian Republic of Venezuela indicated that, in support of special and differentiated treatment for developing countries, it considered it feasible to establish financing plans for small-scale fisheries.

**(b) Activities carried out by relevant intergovernmental organizations**

107. FAO reported that it promoted collaboration in the implementation of the IPOA-Capacity with all interested parties. Priority for such implementation was the development and implementation of national and regional plans of action in various countries and regions of the world. Cooperation in the implementation of the IPOA-Capacity had been limited owing to a lack of funding.

108. The World Trade Organization indicated that negotiations were currently taking place at the organization in respect of fisheries subsidies. Following the Doha Declaration, World Trade Organization Ministers in Hong Kong agreed that disciplines on subsidies should be strengthened in the fishing sector, including through the prohibition of subsidies that contribute to overcapacity and overfishing. They also agreed on an appropriate and effective special differential treatment for developing and least developed States, as an integral part of the fisheries subsidies negotiations, taking into account the importance of the fishing sector to development priorities, poverty reduction, and livelihood and food security concerns. Consequently, the World Trade Organization Negotiating Group on Rules was engaged in an intensive programme of work aimed at elaborating disciplines on fisheries subsidies, within which sustainability considerations had figured prominently.

**(c) Activities carried out by non-governmental organizations**

109. ICFA stressed that measures to manage fishing capacity were the responsibility of States. However, it remained ready to assist States in formulating technically feasible rules and procedures in cases where industry technical advice was sought. To foster understanding of the negative impacts of excess fishing on the sustainability of fisheries in developing States, ICFA was cooperating with the World Bank ProFish programme to further engage developing country fishing associations in international debate on issues of fishing capacity.

110. The Marine Stewardship Council (MSC) indicated that it was promoting sustainable fisheries and discouraging overcapacity and overfishing through the use of market forces, including the use of fishery certification and eco-labelling systems.

**3. By-catch and discards**

**(a) Measures taken by States**

111. Several respondents (Bahrain, Cambodia, Canada, EC, Kuwait, Morocco, New Zealand, Norway, Oman, Spain, United States, Bolivarian Republic of Venezuela, Yemen) reported that they had taken measures individually and/or within RFMO/As of which they were members to reduce by-catch of non-target species and juvenile fish. Senegal indicated that it was in the process of doing so. By-catch measures included the setting of a total annual amount of authorized by-catches (Canada, EC, New Zealand), prohibition of discards (New Zealand, Norway), establishment of

technical measures such as size limits (Canada, Kuwait, Mexico, Morocco, New Zealand, Bolivarian Republic of Venezuela), closed seasons (Cambodia, Canada, Kuwait, Mexico, New Zealand, Suriname, Bolivarian Republic of Venezuela), closed areas (Canada, Kuwait, Mexico, Norway, Yemen, Bolivarian Republic of Venezuela), gear restrictions and use of selective fishing gear (Bahrain, Cambodia, Canada, Kuwait, Mexico, New Zealand, Bolivarian Republic of Venezuela), mandatory reporting of lost gear (Canada), use of by-catch reduction devices (Kuwait, Suriname, United States, Bolivarian Republic of Venezuela) and turtle excluder devices (Cambodia, Canada, Kuwait, Mexico, Suriname, Yemen), as well as the introduction of bird-scaring techniques (Canada, Morocco, New Zealand) and cetacean acoustic deterrent devices (EC, Latvia). Several respondents were carrying out specific studies to reduce the by-catch of juvenile fish (Kuwait, New Zealand, United States) and sea turtles (EC, Spain).

112. In addition, some respondents had adopted (Canada, New Zealand, United States) or were planning to adopt an NPOA on Seabirds (EC, Latvia). Other respondents indicated that they were members or cooperating non-members of RFMO/As (CCAMLR, CCSBT, IATTC, ICCAT, NAFO, NASCO, NEAFC, North Pacific Anadromous Fish Commission (NPAFC), South Indian Ocean Fisheries Agreement (SIOFA), SPRFMO, WCPFC), that had mandates to conserve non-target species (Canada, EC, New Zealand, United States), and parties to agreements with the mandate to conserve dolphins (Mexico), seabirds (New Zealand, Senegal, Spain) or sea turtles (Cambodia, United States).

**(b) Measures adopted by regional fisheries management organizations or arrangements**

113. Several RFMO/As (CCSBT, GFCM, IATTC, ICCAT, NAFO, NASCO, NEAFC, SEAFO, SPRFMO, WCPFC, Western Central Atlantic Fishery Commission (WECAFC)) reported that they had implemented measures to reduce by-catch and discards, including those of juvenile fish in their regulatory areas. They had also adopted regulations to reduce incidental catch of seabirds and sea turtles (IATTC, ICCAT, NAFO, SEAFO, WCPFC), through the mandatory use of mitigation devices (CCSBT, ICCAT, SEAFO) and techniques (SEAFO) in fishing operations. Some RFMO/As had urged their respective members to implement the IPOA-Seabirds (IATTC) and/or adopted measures that were consistent with the FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations (IATTC, NAFO). Other organizations and arrangements had taken action to introduce technical measures, including closed seasons (IATTC, NAFO) and closed areas (NAFO), as well as size limits (NAFO) and gear requirements (IATTC, NAFO) to reduce by-catches. IATTC indicated that it specifically encouraged studies and research aimed at reducing or eliminating by-catch of juvenile fish. GFCM stated that it planned to hold two workshops in 2008 on by-catch and incidental catches, in collaboration with the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area.

114. NASCO stated that there was no significant by-catch problem in the salmon fisheries, but it was concerned about salmon by-catch in other fisheries. NEAFC indicated that pelagic fisheries in its regulatory area were clean single species fisheries without major by-catches. However, since 2007 it had banned the use of gill nets in deep sea fisheries owing to their by-catch and discard problems.

**(c) Measures taken by relevant intergovernmental organizations**

115. **Activities carried out by FAO**. FAO continued to promote the avoidance of the incidental capture of seabirds within its activity entitled "Impact of fishing on the environment", through the promotion and use of environmentally friendly gears, selectivity techniques and formulation of best practice guidelines for fishing operations. It had also provided a review of measures taken by intergovernmental organizations to address sea turtle and seabird interactions in marine capture fisheries.[39]

116. FAO was scheduled to convene an expert consultation in 2008 to develop a draft document entitled "Reduction of seabird by-catch in longline fisheries and other relevant gears: Best practice guidelines for NPOAs". It expected to publish an FAO manual detailing best practice guidelines for longline and trawl fisheries during the expert consultation.

117. **Activities carried out by other organizations and bodies**. GEF funded a project entitled, "Reduction of environmental impact from tropical shrimp trawling" in cooperation with UNEP, FAO and the Governments and the private sector of 12 countries and SEAFDEC, to reduce discards of fish captured by shrimp trawlers through the introduction of technologies that reduced catch of juvenile food-fish and other by-catch. A follow-up project in the East Asian region was under preparation.

118. SEAFDEC had promoted among its member countries the development of devices and gear aimed at excluding turtles and juvenile fish from catch. It had also cooperated with FAO on the issues of by-catch and trash fish. Results and recommendations emanating from this cooperation had been disseminated to SEAFDEC member countries.

**(d) Activities carried out by non-governmental organizations**

119. ICFA endeavoured to work with its member associations to promote ecosystem-based management and the need to control fishing mortality in both target and non-target species, full utilization of harvested species, and the importance of allowing juveniles to reach maturity.

120. MSC contributed to the reduction of by-catch of seabirds, turtles, dolphins and other non-target species through a fishery certification and eco-labelling system. MSC had established an MSC Standard with which all fisheries had to abide if they wished to be certified as operating in a sustainable way. In order to meet the Standard, a fishery was required to satisfy a set of performance criteria in relation to its impact on the fish stocks and the marine ecosystem in which it operated, as well as its overall management. Certification by MSC would enable fisheries to differentiate their products in increasingly global and competitive market places.

**4. Global moratorium on drift-net fishing**

**(a) Measures taken by States**

121. Several respondents (Bahrain, Canada, EC, Kuwait, Latvia, Mexico, Morocco, New Zealand, Oman, Spain, United States) reported that they prohibited large-pelagic drift-net fishing, in accordance with General Assembly resolution 46/215.

[39] FAO Fisheries Circular 1025 (2007).

Canada and the United States indicated that they continued to work with members of NPAFC to coordinate monitoring and surveillance efforts, which included targeting vessels using high seas drift-nets in the Convention Area. The United States also worked within the forum of the North Pacific Coast Guard to coordinate high seas drift-net and IUU-fishing patrol efforts and carry out enforcement. The North Atlantic Coast Guard Forum, modelled on the North Pacific Forum, was in the formative stages. In 2007, the United States and China had continued to work together to ensure the effective implementation of General Assembly resolution 46/215 regarding drift-net fishing on the high seas, including through a shiprider programme established under a memorandum of understanding concluded in 1993 (see A/55/386, para. 38). China had provided 46 enforcement officials to the United States Coast Guard since 1994.

122. Cambodia, Norway, Suriname and the Bolivarian Republic of Venezuela reported that their vessels did not conduct drift-net fishing activities (see also A/62/260, para. 151).

#### (b) Activities carried out by non-governmental organizations

123. ICFA stated that it opposed large-scale pelagic drift-net fishing. It was convinced that the use of this indiscriminate fishing gear type was harmful to a wide range of non-target species.

# VI. International cooperation to promote sustainable fisheries

## A. Subregional and regional cooperation through regional fisheries management organizations or arrangements

### 1. Measures taken by States

#### (a) Cooperation within existing regional organizations

124. Several respondents reported that they were members of RFMO/As that had a mandate to manage straddling fish stocks or highly migratory fish stocks, such as Asia-Pacific Fishery Commission (APFIC) (Cambodia), CCAMLR (EC, New Zealand, Norway, Poland, United States), CCSBT (New Zealand), GFCM (Algeria, EC), IATTC (Mexico, United States, Bolivarian Republic of Venezuela), ICCAT (Algeria, Canada, EC, Mexico, Norway, United States, Bolivarian Republic of Venezuela), IOTC (EC), NAFO (Canada, EC, Norway, Poland, United States), NASCO (Canada, United States), NEAFC (EC, Norway), NPAFC (Canada, United States), RECOFI (Qatar), SEAFDEC (Cambodia), SEAFO (EC, Norway), and WCPFC (Canada, EC, New Zealand, United States). New Zealand indicated that it was a member of an arrangement with the Government of Australia for the conservation and management of orange roughy on the South Tasman Rise. In addition, Cambodia (ICCAT), Canada (IATTC, NEAFC), New Zealand (NEAFC), Senegal (WCFPC) and Yemen (IOTC, SWIOFC) indicated that they held the status of cooperating non-party or observer in RFMO/As of which they were not members or participants. Senegal was also cooperating actively with ICCAT and IOTC. Yemen planned to join IOTC in the near future and indicated an interest in joining SIOFA. The United States indicated that it actively participated in RFMO/As of which it was not a member.

125. With reference to SEAFO, Canada, New Zealand, the United States, the Bolivarian Republic of Venezuela and Yemen pointed out that since no vessels flying their flags were fishing in areas under its competence, they were not currently planning to seek membership within that organization. Regarding SIOFA, New Zealand stated that although vessels flying its flag no longer fished in that area, it had signed the SIOFA agreement in 2006 and supported the development and implementation of any interim measures agreed to by signatories to that instrument. Norway also indicated that it was a member of both SIOFA and SEAFO. Canada, the United States and the Bolivarian Republic of Venezuela reported that no vessel flying their respective flags was conducting fishing operations in the SIOFA area.

126. With regard to other cooperation efforts at the regional and subregional levels, Senegal reported that it had concluded agreements with neighbours in the West African subregion within the framework of the Subregional Commission on Fisheries, which were reflected in Senegalese fisheries legislation. Suriname reported that it was a member of CRFM and was negotiating with other members to reach a regional policy regime. Bahrain, Oman and Qatar made reference to their cooperation with other States through the Gulf Cooperation Council. Cambodia highlighted cooperation efforts through ASEAN-SEAFDEC, and with other South China Sea countries, as well as specific cooperation in managing transboundary stocks with Thailand and Viet Nam. The United States and Canada reported that they had worked together to conserve and manage transboundary stocks of Pacific whiting (also known as Pacific hake) and North Pacific albacore tuna. Canada also reported that it cooperated with the United States with regard to Pacific halibut and Pacific salmon. In addition, Canada cooperated with France through a 1994 Procès-verbal (under the Canada-France Agreement).

**(b) Cooperation in the establishment of new regional organizations**

127. Canada, New Zealand and the United States noted the ongoing efforts to establish a new RFMO to manage non-highly migratory fish stocks in high seas parts of the South Pacific Ocean (SPRFMO). New Zealand reported that in 2007 participants had accepted its offer to host the interim secretariat, which had now been established in Wellington, New Zealand. New Zealand further reported that it was in the process of implementing the interim measures adopted by the participants in the negotiations in April/May 2007.

128. Attention was also drawn by Japan and the United States to ongoing negotiations to establish a new RFMO/A to conserve and manage straddling and/or discrete high seas fish stocks in the North-Western Pacific. Japan, as the interim secretariat for the Management of High Seas Bottom Fisheries in the North-Western Pacific Ocean, and the United States reported that interim measures consistent with paragraphs 83 and 85 of General Assembly resolution 61/105 had been adopted by the participants in those negotiations in January 2007 and subsequently amended in October 2007. At their fourth intergovernmental Meeting, held in Vladivostok, Russia, from 14 to 16 May 2008, the participants discussed the conclusion of a long-term agreement, and returned to the question of whether to expand the scope of the draft convention to cover all high seas areas of the North Pacific Ocean (southern boundary to be determined) and to include all species not currently covered under existing international arrangements. Such discussions would continue at the fifth meeting, to be held in Tokyo in October 2008.

129. SEAFDEC reported that under the ASEAN-SEAFDEC Strategic Partnership, it was working on a process to establish a regional fisheries management mechanism.

**(c) Enhancing cooperation among regional organizations**

130. Canada, New Zealand, Norway and the United States expressed support for enhanced cooperation among existing and developing RFMO/As of which they were members or participants.[40] In that regard, reference was made to the Joint Meeting of Tuna RFMOs, held in Kobe, Japan, in January 2007 (Australia, Canada, EC, Japan, New Zealand). The United States expressed support for the implementation of the Course of Action which resulted from that meeting. The United States also reported that it had hosted a meeting of a technical group endorsed by the Kobe meeting in July 2007, which considered trade-tracking schemes, and that the next joint meeting of the tuna RFMOs would be held in EC in 2009. Canada indicated that it was considering joining NEAFC, inter alia, in order to promote stronger linkages and fishing relations between NAFO and NEAFC members.

**(d) Enhancing the performance of regional organizations**

131. Canada, New Zealand, the United States and the Bolivarian Republic of Venezuela expressed their support for performance reviews to enhance the performance of RFMO/As. New Zealand reported that it was working through RFMO/As of which it was a member to encourage performance reviews of RFMO/As. Further, it was coordinating a performance review of CCSBT during 2008, which would include a self-assessment of the RFMO against the criteria developed in connection with the joint meeting of tuna RFMOs in Kobe. This assessment would be performed by a working group made up of members of the RFMO, and reviewed by independent expert(s). Both the self-assessment report and the independent expert(s) report would be made publicly available. In addition, Canada highlighted its role in efforts to reform NAFO and ICCAT and New Zealand reiterated its support for the decision of CCAMLR to undertake a performance review during 2008.

132. States also emphasized that performance reviews should be performed against objective criteria (United States), made publicly available (New Zealand, United States), and include an element of independent evaluation (United States), and that the results should be made publicly available (New Zealand). The United States indicated that after the Kobe meeting in January 2007, the use of a common set of criteria and a common methodology for performance reviews was discussed at a side event hosted by the United States during the sixth round of the informal consultations of the States parties to the Agreement in New York in April 2007. The President of the meeting, in his role as facilitator of the Kobe process, circulated the criteria resulting from that side-event discussion to the tuna RFMOs and other RFMO/As for their information and consideration in conducting their performance reviews. The United States stated that it would be working within those RFMO/As in which it participated to encourage such reviews, and welcomed progress made in conducting performance reviews in CCAMLR, CCSBT, ICCAT, IOTC and NEAFC. NASCO also indicated that it had undergone a performance review of its activities

[40] The Ad Hoc Open-ended Informal Working Group emphasized the importance of cooperation and coordination among RFMOs in the conservation and management of marine biological diversity in areas beyond national jurisdiction (see A/63/79, para. 24).

and implemented many of the decisions arising from the review. SEAFO reported that its Commission had decided to undertake a performance review not later than 2010.

133. Canada, New Zealand and the United States also expressed support for the development of best practice guidelines to be applied in RFMO/As of which they were members or participants. New Zealand reported that it had contributed to the work of the Ministerial High Seas Task Force on IUU fishing, which had initiated best practice guidelines recently completed by Chatham House.

134. In addition, Canada, Latvia and New Zealand pointed out that they had taken measures to contribute to the development of regional guidelines for adequate sanctions for non-compliance with fishery regulations by vessels flying their flags, including through RFMO Compliance Committees (New Zealand; see also A/62/260, paras. 161-163).

### 2. Measures adopted by regional fisheries management organizations or arrangements

#### (a) Membership/participation of States with a real interest in regional fisheries management organizations or arrangements

135. CCSBT, IATTC, ICCAT, NAFO, NASCO, SEAFO and SPRFMO indicated that all States having a real interest in the fisheries under their management may become members of their organizations or participants in their arrangements, in accordance with the relevant provisions of the Agreement. IATTC reported that the provisions of the Antigua Convention would make it easier for new members to join and that in recent years several new members had become parties to the Convention establishing IATTC. SEAFO anticipated welcoming additional contracting parties in the foreseeable future. NEAFC reported that, although all three applications for Contracting Party status since 1982 had been unsuccessful, there was a small cooperative quota in the redfish fishery available to non-members.

#### (b) Modernization of regional fisheries management organizations or arrangements

136. Many reporting RFMO/As highlighted measures they had taken to implement modern approaches to fisheries management as reflected in the Agreement and other relevant international instruments. Such measures included: increased reliance on scientific information (CCSBT, GFCM, IATTC, NAFO, SEAFO, WCFPC), application of the precautionary approach (GFCM, IATTC, NAFO, NASCO) and ecosystem approaches and biodiversity considerations (GFCM, IATTC, ICCAT, NAFO, NASCO, SEAFO, WCPFC). ICCAT indicated that while the precautionary approach was not adopted as a formal decision-making mechanism, its conservation and management measures took into account the outcome of scientific stock status evaluations and maximum sustainable yield related benchmarks. NAFO reported that in the 2007-2008 period, it had closed five sensitive marine habitats to bottom fishing. SPRFMO noted that consultations were being undertaken with the objective of achieving a convention that incorporated the best practices of modern fisheries management. In addition, IATTC underscored that the objective of the Antigua Convention was to ensure the long-term and sustainable use of the fish stocks it covered.

**(c) Transparency in the management of regional fisheries management organizations or arrangements**

137. A number of RFMO/As also reported on measures they had taken to improve transparency in their management regimes, such as making reports publicly available (CCSBT, NEAFC, SPRFMO), maintaining a public website (NAFO), clearly identifying the methodology for allocating fishing rights (CCSBT), adopting guidelines for future fishing opportunities (NAFO), allowing the participation of intergovernmental organizations and granting observer status to non-governmental organizations (NAFO, NEAFC), responding to queries from the public and attending conferences and meetings (NEAFC). IATTC and SEAFO also made reference to transparency provisions in their constitutive instruments.

**(d) Strengthening cooperation with other fisheries bodies and other relevant international organizations**

138. Many RFMO/As (GFCM, NAFO, NEAFC, SEAFO and WCPFC) reported on their cooperation with other fisheries bodies on issues of mutual interest and with other relevant international organizations (GFCM, NEAFC, SEAFO, WCFPC, WECAFC).[41] In particular, GFCM cooperated with professional organizations in the fishing sector, such as the Mediterranean Association of Fisheries Organization and the International Angling Confederation. WECAFC indicated that it cooperated with a number of regional partner agencies, such as the UNEP Caribbean Regional Seas Programme, CARICOM-CRFM, Caribbean Fisheries Management Council (CMFC), and the Institut français de recherche pour l'exploitation de la mer. NAFO and NEAFC had strong working relations with international organizations such as ICES and the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), respectively. All reporting RFMO/As indicated that they cooperated with the FAO Fisheries and Aquaculture Department.

## B. International cooperation to enhance capacity-building

139. The international community recognizes the importance of providing assistance to developing States to build their capacity for the conservation and sustainable use of fisheries resources in areas within and beyond national jurisdiction. Such assistance should focus on increasing the ability of the fishing sector in developing countries, particularly small-scale fisheries, with a view to contributing to poverty alleviation and food security, enhancing economic returns from fishing activities conducted in areas under their national jurisdiction by distant-water fishing nations under access agreements, building capacity for MCS and enforcement capabilities to combat IUU fishing, and increasing capacity of developing States to develop their own fisheries in areas under national jurisdiction and on the high seas managed by RFMO/As.

### 1. Areas of assistance to developing States

140. Canada, Mexico, New Zealand, Spain, the United States and the Bolivarian Republic of Venezuela provided information on assistance they had extended to developing States to promote sustainable fisheries (see also A/62/260,

[41] The Ad Hoc Open-ended Informal Working Group emphasized the importance of cooperation and coordination between RFMOs and non-fisheries organizations (see A/63/79, para. 24).

paras. 169-174). New Zealand reported that it provided financial and technical support to the South Pacific Forum Fisheries Agency and the secretariat of the Pacific Community, to enhance the capacity of developing Pacific Island States and Territories. Discrete fisheries rehabilitation and livelihood projects were being supported, including projects established following the 2007 earthquake and tsunami in the Solomon Islands. Spain stated that it had programmes to provide financial and technical assistance and training for developing States in various aspects of fisheries conservation and management. The United States reported that, in April 2008, a team from NOAA, in collaboration with the Ministry of Fisheries for Ghana, conducted marine observer training in Ghana onboard a United States navy vessel. The training covered a wide range of topics including observer programme policies, fisheries legislation, enforcement and IUU issues, research activities and stock status for stocks off the coast of West Africa. Safety and scientific equipment was also provided to Ghana.

141. Canada reported that its assistance to developing States included six post-tsunami rehabilitation projects, a major coastal and marine environment project in Tomini Bay, Indonesia, an internship programme through the Fisheries and Marine Institute of the Memorial University of Newfoundland, which delivered development assistance in the fisheries sector in various regions, and the provision of 50,000 Canadian dollars to support the FAO Conference on Small-Scale Fisheries, to be held in Thailand in October 2008. The Bolivarian Republic of Venezuela pointed out that it had provided financial support to other developing States for various initiatives to improve their fisheries sectors, including small island developing States. Mexico also reported that it had established cooperation and exchange programmes with Central American States and collaborated, in particular with Guatemala, El Salvador and Honduras, in scientific and technical areas.

**(a) Enhancement of opportunities for sustainable development, development of fisheries and participation in high seas fisheries**

142. Spain reported that, as a distant-water fishing nation, it had provided training to officials and technical experts of African countries in MCS and maritime health as part of its cooperative programme for the sustainable development of the fishing sector in African countries. In addition to its existing scientific cooperation with developing countries with regard to stock assessments, which involved the participation of scientists from developing States and used Spanish oceanographic research vessels, in 2006 and 2007, Spain had signed memorandums of understanding on fishing and aquaculture cooperation with several countries. Canada reported that it supported the MCS Network, and had helped to ensure the attendance of representatives of developing States at the meeting of the Network held in Vancouver, Canada, in January and February 2007.

**(b) Access agreements/arrangements negotiated by distant-water fishing nations with developing coastal States**

143. The United States reported that, in the limited circumstances in which its vessels fished in waters within the national jurisdiction of other States, it negotiated equitable access agreements and ensured that vessels flying the flag of the United States were duly licensed and complied with the highest standards of reporting and MCS, including through the use of VMS and observers. It noted that the 1987

multilateral Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America was often identified as a model access agreement.

**(c) Assistance received by developing States and assistance needs of developing States**

144. Cambodia, Bahrain and Yemen reported on the assistance they had received from other States and regional and global organizations. Bahrain stated that it had received assistance from other States in the region to introduce selective shrimp nets to address by-catch of juvenile fish. Cambodia received financial and technical assistance from a number of regional and global organizations, including ASEAN-SEAFDEC, the joint Swedish International Development Cooperation Agency-SEAFDEC programme, UNEP, FAO, the Japan International Cooperation Agency, and the WorldFish Centre. It had also collaborated with regional and global organizations to implement sustainable fisheries management, including through the implementation of the ASEAN-SEAFDEC Resolution and Plan of Action on Sustainable Fisheries for Food Security for the ASEAN Region.

145. Yemen reported that a rural development programme project carried out in cooperation with the International Development Agency of the World Bank included training courses in fish handling, securing fishing and other matters.

146. Qatar and Yemen provided information concerning their assistance needs. Qatar stated that it was in need of technical and scientific assistance for the study of fish stocks and the collection and exchange of statistical information. Yemen reported that it would benefit from a project with the United Nations Development Programme to assess the implementation of Yemen's commitments under international and regional instruments regarding sustainable fisheries.

147. In addition, Canada reported that it had encouraged the participation by the World Bank PROFISH in the annual meeting of the Asia-Pacific Economic Cooperation (APEC) Fishing Working Group, held in April 2008, with a view to sharing information about the Bank's fisheries programmes with APEC members and promoting greater assistance and coherence in assistance to developing States regarding conservation and management of fish stocks.

**(d) Assistance to developing States in the implementation of General Assembly resolution 61/105, paragraphs 83 to 91**

148. A number of RFMO/As reported on efforts to assist developing States in the implementation of actions called for in paragraphs 83 to 91 of General Assembly resolution 61/105, in accordance with paragraph 113 of resolution 62/177. IATTC assisted some developing States in the formulation and operation of national observer programmes which sought to obtain scientific information and monitor the application of IATTC regulations. SEAFDEC, in its implementation of the ASEAN strategy to reduce disparities among member countries, provided advice and capacity-building to the lesser developed countries of the South-East Asian region. WCPCF established a Special Requirements Fund which allowed for the continued and effective participation of developing States in the work of the Commission, including its meetings and those of its subsidiary bodies.

149. The interim secretariat for SPRFMO reported that its interim conservation and management measures, which included measures relating to bottom fishing, took note of the special requirements of developing countries, in particular small island developing States. Further, participants in the negotiations were encouraged to provide financial, technical and scientific assistance to enhance the ability of those developing States and territories to implement the interim measures and to participate effectively in the negotiations for the establishment of SPRFMO. New Zealand stated that, as a participant in the negotiations, it had offered such assistance.

### 2. Assistance under the United Nations Fish Stocks Agreement

#### (a) Addressing the requirements of developing States under Part VII of the Agreement

150. New Zealand reported that it supported programmes to strengthen fisheries institutions in the Cook Islands and Solomon Islands. These programmes strengthened the capacity for sustainable management of fisheries and the development of domestic fisheries industries in these two States, including through increased domestic value added processing.

151. New Zealand, Norway, the United States and the Bolivarian Republic of Venezuela reported on assistance to developing States to enhance their participation in RFMO/As. New Zealand stated that it supported the participation of Pacific Island developing States in RFMO/As by providing support to several Pacific regional institutions and through bilateral development assistance programmes with such States. Norway reported that it had provided legal assistance to developing States in connection with the negotiations for the establishment of SWIOFC and SIOFA and had provided technical support to Namibia for the establishment of the SEAFO secretariat.

152. The United States reported that it had led efforts to provide a financial assistance mechanism in the financial regulations of WCPFC to ensure the participation of developing States in the meetings of WCPFC and to build fisheries management capacity. It had also supported efforts within ICCAT to provide financial assistance to developing State members to improve data collection and data sharing, through the ICCAT data fund. It continued, at the bilateral and multilateral levels, to promote gear modification and the use of selective fishing gear, including technical assistance on the use of turtle excluder devices. The Bolivarian Republic of Venezuela noted that it supported initiatives for cooperation with small island developing States in developing their fisheries. Consistent with its position in the World Trade Organization, the Bolivarian Republic of Venezuela noted that special and differentiated treatment in favour of developing States must be more than an instrument to help those States implement new rules: it must also allow them to exploit their resources within their maritime space.

#### (b) Promoting further ratification of or accession to the Agreement

153. During the seventh round of the informal consultations of States parties to the Agreement, it was agreed that enhancing the capacity of developing States to conserve and manage straddling fish stocks and highly migratory fish stocks was an important element of promoting a wider participation of developing States in the Agreement. It was therefore recommended that future meetings of the informal

consultations should address capacity-building and assistance measures for the benefit of developing States to enable them to become party to and fully implement the Agreement (see paras. 31-32 above).

154. In order to assist in this process, the Division for Ocean Affairs and the Law of the Sea (the Division) sought information from developing States concerning their needs with respect to the conservation and management of straddling fish stocks and highly migratory fish stocks. The Division also requested all States and relevant intergovernmental organizations to provide information regarding any fund, programme or other vehicle for capacity-building available in their respective country or organization, as appropriate, to assist developing States build their capacity to conserve and manage fishery resources, including straddling fish stocks and highly migratory fish stocks. A compilation of the information provided by States and intergovernmental organizations will be submitted to the next round of the informal consultations.

**(c) Status of the Assistance Fund**

155. Pursuant to paragraph 21 of the Terms of Reference of the Fund, FAO provided a financial report on the status of the Assistance Fund as at 31 December 2007 (see annex II to the present report). The report stated that the total of the contributions to the Fund,[42] together with interest, amounted to $859,898. Of the total expenditure of $51,635 in 2007, 47 per cent was used to support attendance at meetings held by RFMO/As by representatives of developing States parties; 8 per cent was used to support attendance at the sixth round of the informal consultations; and 43 per cent was used to support the participation by developing States in the negotiation sessions for the establishment of the proposed SPRFMO. The remaining portion (2 per cent) was used to meet FAO administrative expenses.

156. With regard to measures to further publicize the Fund, FAO reported that it had informed eligible countries of the availability of the Fund through meetings and direct contact with secretariats of RFBs. The Division also encouraged developing States to avail themselves of the Fund and had invited them to provide comments regarding the application and award procedures of the Fund.

157. During the seventh round of the informal consultations, FAO and the Division proposed revisions to the Terms of Reference, in accordance with paragraph 23, to promote the efficient and transparent operation of the Assistance Fund established under Part VII of the Agreement. In particular, the proposed revisions sought to clarify certain procedural matters relating to the submission of applications, the process for the determination of applications, the use of financial assistance provided from the Fund, and the reporting obligations of recipients of financial assistance. The proposed revisions were accepted by the States parties with minor changes.[43]

[42] As at 31 December 2007, the contributors were Canada ($454,178), Iceland ($50,000), Norway ($95,475), and the United States ($215,000).

[43] The Terms of Reference of the Assistance Fund, as revised at the seventh round of the informal consultations, are available from the website of the Division at http://www.un.org/Depts/los/convention_agreements/fishstocktrustfund/fishstocktrustfund.htm.

### 3. Assistance provided by relevant international organizations

#### (a) Activities carried out by the Food and Agriculture Organization of the United Nations

158. FAO reported that its FishCode Programme served as the principal means through which it supported the implementation of the Code of Conduct and related instruments. Some of the capacity-building activities planned for 2008 included regional capacity-building workshops and follow-up technical support at the national level under the Status and Trends in Capture Fisheries Project, which facilitated the implementation of the FAO Strategy for Improving Information on Status and Trends of Capture Fisheries. These activities were planned with particular attention to South-East Asia, Central America, Pacific small island developing States, China and West Africa.

159. Under the Custom Training Courses Project, which collaborated with the Fisheries Training Programme of the United Nations University and national training institutions and personnel, short courses covering themes such as co-management, fishing vessel stability, fish product quality assurance, profitability of aquaculture enterprises, and fisheries policy and planning would be held. In addition, course materials would be assembled into standard packages for Internet distribution and for use and adaptation in other courses.

160. Capacity-building support would continue to be provided in order to promote, inter alia, implementation of port State and other measures to combat IUU fishing; an enabling environment for small-scale fisheries, including, for example, through participation in voluntary eco-labelling schemes; implementation of national information and communication strategies related to the Code of Conduct in developing countries; and improved cooperation between existing and developing RFMO/As.

161. In relation to small-scale fisheries, FAO and the Government of Thailand, in collaboration with SEAFDEC and the WorldFish Centre, were convening in Bangkok, from 13 to 17 October 2008, a global conference on the theme "Securing sustainable small-scale fisheries: bringing together responsible fisheries and social development". FAO was also developing a broad-based programme for sub-Saharan African countries which would focus on capacity-building in support of small-scale fisheries livelihoods, including aquaculture. Efforts to strengthen community-based fisheries management and safety at sea were continuing in various regions. In addition, FAO was seeking to increase the ability of small-scale fisheries to access certification and eco-labelling schemes, thereby expanding their access to international markets.

#### (b) Activities carried out by other relevant organizations and bodies

162. The World Bank, as an implementing agency of GEF, reported that the GEF International Waters focal area had funded IW-Learn, a project dedicated to supporting the exchange of knowledge between projects in the International Waters portfolio, which included activities such as facilitating access to information about transboundary water resources among GEF International Waters projects, structured learning among GEF International Waters projects and cooperating partners, and organizing biennial International Waters conferences. The Coral Triangle Initiative Programmatic Approach, approved by the GEF Council in April 2008, involved the

protection and sustainable use of a multi-country area of coasts and oceans in East Asia and the Pacific. GEF noted that changing climate and overfishing were said to threaten the transboundary movement of tuna and its resulting economic benefits to the Pacific Islands. GEF had committed $63 million and leveraged an additional sum of more than $400 million for this programme.

163. OECD also reported that it had published a study in 2006 entitled *Fishing for Coherence: Fisheries and Development Policies*, which provided a conceptual basis for analysing policy coherence for development in fisheries and compared fisheries policies in OECD and non-OECD countries, mostly developing countries, through case studies. The study also sought to establish a good understanding of fisheries policy coherence, including economic impacts, to underpin the establishment of appropriate institutional mechanisms for improved coherence and to examine capacity-building requirements. In addition, COFI and the OECD Development Assistance Committee co-hosted a workshop in 2006 on Policy Coherence for Development in Fisheries. The Workshop provided a forum for furthering considerations on policy coherence for development in the field of fisheries.

## C. Cooperation and coordination within the United Nations system

164. In paragraph 103 of resolution 61/105, the General Assembly requested the relevant parts of the United Nations system, international financial institutions and donor agencies to support increased enforcement and compliance capabilities for RFMOs and their member States. Pursuant to this request, GEF reported that the GEF International Waters focal area had a long history of stimulating development of multiagency collaboration and that it would continue to promote this collaboration to meet water-related development targets agreed by the international community such as the targets in the Johannesburg Plan of Implementation. Partnerships among several international agencies would continue to be pursued to assist them in working together more coherently within comparative advantages consistent with country priorities and United Nations reforms currently being undertaken (see also A/62/260, paras. 184-193).

165. UNEP stressed that regional and international cooperation was of vital significance to address the problem of abandoned, lost and derelict fishing gear. It emphasized the value of cooperating with FAO and its related RFBs. With a view to achieving greater coordination and cooperation between United Nations system agencies and bodies, and to encourage a more concerted and comprehensive response from national Governments as well as relevant industries, UNEP and FAO had joined forces to undertake a global review entitled "The problem of derelict fishing gear: global review and proposals for action". The objective was to review available relevant information and assess the feasibility of the development of joint programmes, activities, capacity-building, education and public and sectoral outreach between RFBs and RSPs. A draft of the review document had been finalized recently.

166. FAO reported that it would implement an extrabudgetary project, funded by Japan, to support and strengthen the functions of and coordination among RFBs/RFMOs from 2008. The project would include support for the biennial meetings of RFBs/RFMOs through the development of a website which would

function as a common platform for dialogue among RFBs and strengthening data sharing among RFMOs.

167. The Division was cooperating with FAO on matters concerning the legal and policy framework relevant to fisheries governance. Of particular relevance was the continued cooperation between FAO and the Division in the administration of the Assistance Fund established under Part VII of the Agreement. The Division also attended FAO meetings related to the development of instruments to improve fisheries governance, including the Technical Consultation to draft a legally binding instrument on port State measures to prevent, deter and eliminate IUU fishing, and the Technical Consultation on International Guidelines for the Management of Deep Sea Fisheries in the High Seas. FAO regularly participated in meetings convened by the Division, including the seventh round of informal consultations of States parties to the Agreement, the Ad Hoc Open-ended Informal Working Group, and the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, and continued to provide information within its area of competence for the annual reports of the Secretary-General on oceans and law of the sea and on sustainable fisheries prepared by the Division.

168. In paragraph 105 of resolution 61/105, the General Assembly invited the Division, FAO and other relevant bodies of the United Nations system to consult and cooperate in the preparation of questionnaires designed to collect information on sustainable fisheries, in order to avoid duplication. FAO indicated that the main area of potential overlap in reporting related to the biennial questionnaire of FAO with respect to the implementation of the Code of Conduct (see also A/62/260, para. 192). Accordingly, it was investigating the feasibility of changing the reporting for the Code of Conduct from paper to electronic reporting. That matter may be discussed at the 2009 session of COFI.

# VII. Concluding remarks

169. Information provided by States, RFMO/As and other relevant organizations and bodies demonstrates that ensuring the sustainable development of fisheries remains a significant challenge for the international community: most of the world's main capture fisheries have reached their maximum potential, unsustainable fishing practices persist in most areas of the world and VMEs are being adversely impacted by non-selective fishing gear and techniques, while demand for fish products has increased and is expected to continue to increase in the foreseeable future. Increased efforts towards responsible fisheries are needed if the commitments set out in the Johannesburg Plan of Implementation to achieve sustainable fisheries by 2015 are to be met.

170. For this purpose, it is imperative to address effectively unsustainable fishing practices and promote universal participation in international instruments that provide for the long-term conservation and sustainable use of fishery resources, including the Agreement. It is equally vital to achieve broad and effective application of FAO fishery-related instruments, such as the Code of Conduct and associated IPOAs, which promote the conservation and sustainable use of marine living resources and enhance responsible fisheries in the marine ecosystem.

171. New initiatives to promote sustainable fisheries that target economic incentives behind unsustainable fishing practices also need to be pursued by States,

**RFMO/As and other stakeholders, including effective port State measures, flag State certification of catches, harmonization of IUU vessel lists by RFMO/As, and trade-related measures to trace fish and fishery products.**

**172. In promoting sustainable fisheries, the special requirements of developing States in relation to the conservation and management of fishery resources also need to be recognized. Technical and financial assistance as well as other forms of capacity-building should be provided to developing States to enhance their capacity to conserve and manage fishery resources in areas under their national jurisdiction, or allow them to participate in fisheries for straddling fish stocks or highly migratory fish stocks in high seas areas. Funds, programmes and other vehicles for capacity-building that have been developed by a number of States and relevant international organizations can contribute to enhancing the capacity of develop[illegible]g States in this regard.**

# Annex I

## List of respondents to the questionnaire

### States and entities

Algeria
Bahrain
Cambodia
Canada
European Community
Kuwait
Latvia
Lebanon
Mexico
Morocco
New Zealand
Norway
Oman
Poland
Qatar
Senegal
Spain
Suriname
United States of America
Venezuela (Bolivarian Republic of)
Yemen

### United Nations agencies, programmes and funds, and related organizations

Convention on Biological Diversity
Food and Agriculture Organization of the United Nations
Global Environment Facility
Baltic Marine Environment Protection Commission
International Maritime Organization
United Nations Environment Programme
World Trade Organization

### Other intergovernmental organizations

Organization for Economic Cooperation and Development

### Regional fisheries management organizations and arrangements

Commission for the Conservation of Southern Bluefin Tuna
General Fisheries Commission for the Mediterranean
Inter-American Tropical Tuna Commission

International Commission for the Conservation of Atlantic Tunas
International Whaling Commission
Interim secretariat for the Management of High Seas Bottom Fisheries in the North-Western Pacific Ocean
Northwest Atlantic Fisheries Organization
North Atlantic Salmon Conservation Organization
North East Atlantic Fisheries Commission
Southeast Asian Fisheries Development Center
South East Atlantic Fisheries Organization
Interim secretariat of the South Pacific Regional Fisheries Management Organization
Western and Central Pacific Fisheries Commission
Western Central Atlantic Fishery Commission

## Non-governmental organizations

Hellenic Marine Environment
International Coalition of Fisheries Associations
Marine Stewardship Council

# Annex II

## Financial Report of the Food and Agriculture Organization of the United Nations on the status of the Assistance Fund under Part VII of the United Nations Fish Stocks Agreement*

### 1. Introduction

In November 2003, the United Nations General Assembly, in its resolution 58/14, established an Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (the Agreement), to assist developing States Parties in the implementation of the Agreement. It also decided that the Fund would be administered by the Food and Agriculture Organization of the United Nations (FAO). On 19 April 2005, the Fund was set up.[a] It is managed in accordance with the Fund's Terms of Reference and FAO financial regulations as well as other applicable rules.

### 2. Contributions to the Assistance Fund

The United Nations and FAO have made calls for contributions to the Assistance Fund at international forums, including sessions of the General Assembly and the FAO Committee on Fisheries as well as on the Assistance Fund's website.[b]

As at 31 December 2007, the Governments of Canada, Iceland, Norway and the United States of America, all States parties to the Agreement, had made financial contributions to the Assistance Fund totalling US$ 814,653. Table 1 shows contributions to the Fund together with accrued interest on the funds.

States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations and natural and juridical persons wishing to make contributions to the Assistance Fund are encouraged to do so and they should direct their payments to the following FAO bank account:

| | |
|---|---|
| Bank: | HSBC New York |
| Address: | 452 Fifth Ave.<br>New York, NY, USA, 10018 |
| Account Number: | 000156426 |
| Swift/BIC: | MRMDUS33 |
| ABA/Bank Code: | 021001088 |
| Citing project: | MFT/GLO/124/MUL |

* The present report is provided in accordance with para. 21 of the Terms of Reference for the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

[a] Account MTF/GLO/124/MUL "1995 UN Fish Stocks Agreement — Part VII-Trust Fund.

[b] http://www.un.org/Depts/los/convention agreements/fishstocktrustfund. Contributions to the Fund should be made to the trust fund account established by FAO in accordance with paragraph 7 of the Terms of Reference of the Fund.

## 3. Requests for assistance from the Fund

Information about the existence and purpose of the Assistance Fund by the United Nations and FAO has been disseminated widely, including through electronic means and contacts with relevant regional fisheries bodies. In 2007, the number of requests (15 in total) for assistance from the Fund increased slightly over the level in the previous year (14 requests in 2006). Table 2 provides details of expenditure from the Fund as at 31 December 2007. Expenditure is categorized according to the purposes for which assistance is permitted and administrative expenses, as reflected, respectively, in paragraphs 14 and 20 of the Terms of Reference of the Fund.

In 2007, a total expenditure of $51,635 was made. Of the total expenditure for meeting participation: 47 per cent supported participation in technical and annual sessions of the Commission for the Conservation of Antarctic Marine Living Resources, International Commission for the Conservation of Atlantic Tuna, South-East Atlantic Fisheries Organization and the Western and Central Pacific Fisheries Commission (para. 14 (a) of the Terms of Reference); 8 per cent supported participation at the Informal Consultations of States Parties to the Agreement (para. 14 (b) of the Terms of Reference); and 43 per cent supported participation in negotiation sessions for the establishment of the South Pacific Regional Fisheries Management Organization.

## 4. Conclusion

The Assistance Fund was established, and is being managed, in accordance with its Terms of Reference and FAO financial regulations and other applicable rules. However, revision of the Terms of Reference is called for to strengthen the administration of the Fund.

The United Nations and FAO encourage States, intergovernmental organizations, international financial institutions, national institutions, non-governmental organizations and natural and juridical persons to make voluntary financial contributions to the Fund. The United Nations and FAO seek to ensure that the Assistance Fund maintains a healthy funding level so that support for the implementation of the Agreement can be sustained.

In 2007, no application for assistance necessitated the convening of the panel, as provided for in paragraph 15 of the Terms of Reference. Three funded trips to participate in meetings were cancelled by the travellers: two because of the inability of the travellers to secure visas in time for the scheduled meetings and the other cancellation was for personal reasons.

Table 1
**1995 United Nations Fish Stocks Agreement Part VII Trust Fund: Income account as at 31 December 2007**
(United States dollars)

| *Donor* | *2004* | *2005* | *2006* | *2007* | *Total* |
|---|---|---|---|---|---|
| United States | 200 000[a] | — | — | 15 000[b] | 215 000 |
| Iceland | — | 50 000[c] | — | — | 50 000 |
| Norway | — | 95 475[d] | — | — | 95 475 |
| Canada | — | — | 64 230[e] | 389 948 | 454 178[f] |
| Accrued interest on funds | 2 705 | 6 248 | 14 725 | 21 567 | 45 245 |
| **Total** | **202 705** | **151 723** | **78 955** | **426 515** | **859 898** |

[a] June 2004.
[b] September 2007.
[c] April 2005.
[d] May 2005.
[e] March 2006
[f] May 2007.

Table 2
**1995 United Nations Fish Stocks Agreement Part VII Trust Fund: Expenditure Account as at 31 December 2007**

| | | *2004* | | *2005* | | *2006* | | *2007* | | *Total* | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *TOR*[a] | *Expenditure category* | *United States dollars* | *Percentage* | *United States dollars* | *Percentage* | *United States dollars* | *Percentage* | *United States dollars* | *Percentage* | *United States dollars* | *Percentage* |
| 14 a-b | Travel expenses for meeting participation | — | — | — | — | 67 920 | 99 | 28 202 | 55 | 96 122 | 80 |
| 14 c | Establishment of new RFMO/As | — | — | — | — | — | — | 22 381 | 43 | 22 381 | 19 |
| 14 d | Building capacity | — | — | — | — | — | — | — | — | — | — |
| 14 e | Exchange of information | — | — | — | — | — | — | — | — | — | — |
| 14 f | Conservation and management assistance | — | — | — | — | — | — | — | — | — | — |
| 14 g | Dispute settlement | — | — | — | — | — | — | — | — | — | — |
| 20 | FAO administrative expenses | — | — | — | — | 876 | 1 | 1 052 | 2 | 1 929 | 2 |
| **Total** | | **—** | **0** | **—** | **0** | **68 787** | **100** | **51 635** | **100** | **120 422** | **100**[b] |

*Note*: Some figures may be subject to revision.
*Abbreviations*: TOR, Terms of Reference; RFMO/As, regional fisheries management organizations or arrangements; FAO, Food and Agriculture Organization of the United Nations.
[a] References are made to the relevant paragraphs of the Terms of Reference for the Assistance Fund under Part VII of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.
[b] Does not add to 100 owing to rounding.

United Nations A/63/129

General Assembly

Distr.: General
15 July 2008

Original: English

**Sixty-third session**
Item 92 (g) of the preliminary list*
**Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: United Nations disarmament fellowship, training and advisory services**

# United Nations disarmament fellowship, training and advisory services programme

## Report of the Secretary-General

*Summary*

Fellowships on disarmament were awarded to 30 officials in 2007 and to 25 officials in 2008. Responding to the United Nations efforts to promote gender mainstreaming, Member States nominated more women candidates for the programme. As a result, 12 women participated in the programme in 2007 and 14 women will participate in the 2008 programme. In 2007, the programme lasted from 27 August to 31 October. The 2008 programme is scheduled to be carried out from 25 August to 25 October.

The programme of studies continued to be structured in three segments. The first segment of the programme, which is held at the United Nations Office at Geneva, is primarily to introduce the fellows to various aspects of multilateral negotiations on disarmament. In 2008, the fellows will also participate in a study visit organized by the Swiss Federal Department of Foreign Affairs. The second segment comprises study visits to: intergovernmental organizations of relevance in the field of disarmament; Member States, at their invitation, including study visits to Germany, Japan and, in 2007, to China; to the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the International Atomic Energy Agency in Vienna; and the Organisation for the Prohibition of Chemical Weapons in The Hague. The third segment, held at United Nations Headquarters, is intended to familiarize the fellows with the work of both the First Committee and the Office for Disarmament Affairs. This segment also includes seminars organized by the James Martin Center for Nonproliferation Studies of the Monterey Institute of International Studies.

* A/63/50.

08-42291 (E) 040808

To date, the programme has trained 759 officials from 159 Member States, a large number of whom hold positions of responsibility in the field of disarmament within their own Governments. The Secretary-General is gratified that the programme continues to enhance disarmament expertise in Member States, particularly developing countries, promote greater awareness of the importance and benefits of disarmament and contribute to better understanding the concerns of the international community in the field of disarmament and security. The Secretary-General expresses his appreciation to all Member States and organizations that have consistently supported the programme throughout the years, thereby contributing to its success.

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# I. Introduction

1. In its resolution 61/91, entitled "United Nations disarmament fellowship, training and advisory services", the General Assembly, inter alia, commended the Secretary-General for the diligence with which the programme had continued to be carried out and requested him to continue to implement annually the Geneva-based programme within existing resources and to report thereon to the Assembly at its sixty-third session. The present report is submitted pursuant to that mandate.

# II. Programme of fellowships on disarmament

## A. Fellowships for 2007 and 2008

2. Thirty fellowships were awarded in 2007 to the following officials:

| | |
|---|---|
| Ms. Ivis Noçka | Albania |
| Mr. Christopher David King | Australia |
| Mr. He Zhi | China |
| Ms. Mihaela Baric | Croatia |
| Mr. Nikolaos Michaelides | Cyprus |
| Ms. Yvonne Mbiya Ilunga | Democratic Republic of the Congo |
| Ms. Ketlin Süsmalainen | Estonia |
| Mr. Ray Kini Baleikasavu | Fiji |
| Ms. Anne-Cécile C. Violin | France |
| Ms. Alexandra Ellen Goelz | Germany |
| Ms. Freda Oforiwa Peprah | Ghana |
| Ms. Sheree Omeria Chambers | Jamaica |
| Mr. Toshiyuki Hayashi | Japan |
| Mr. Mohammed Sameer Salem Hindawi | Jordan |
| Ms. Neo Mary Mokatsa | Lesotho |
| Mr. John Twapalizya Kabaghe | Malawi |
| Mr. Zeenad Abdul Wahid | Maldives |
| Mr. Madou Diallo | Mali |
| Mr. Murad Baseer | Pakistan |
| Ms. Justyna Magdalena Bartkiewicz | Poland |
| Mr. Kyoo Ho Lee | Republic of Korea |
| Ms. Carolina Popovici | Republic of Moldova |
| Mr. Petre Alexandru Stamatescu | Romania |

| | |
|---|---|
| Ms. Karen Galokale | Solomon Islands |
| Mr. Reto Wollenmann | Switzerland |
| Mr. Abdulmaola Al Nuqari | Syrian Arab Republic |
| Mr. Elyes Lakhal | Tunisia |
| Mr. Oleksandr Kapustin | Ukraine |
| Mr. Fernando Sandin-Tusso | Uruguay |
| Mr. Gayrat Yuldashev | Uzbekistan |

3. Twenty-five fellowships were awarded in 2008 to the following officials:

| | |
|---|---|
| Mr. Mustapha Abbani | Algeria |
| Ms. Yulia Lyashuk | Belarus |
| Ms. Dyane B. Aguidissou | Benin |
| Ms. Anna Vassileva | Bulgaria |
| Ms. Angela Estrada Jimenez | Colombia |
| Ms. Heba Negm | Egypt |
| Ms. Nardos Ayalew | Ethiopia |
| Mr. Jaime Leonel Brito Hernandez | Honduras |
| Ms. Luna Amanda Fahmi | Indonesia |
| Mr. Amir Masoud Ejtehadi | Iran (Islamic Republic of) |
| Mr. Shinji Yamashita | Japan |
| Ms. Florence Kinya Kaberia | Kenya |
| Mr. Phonesavath Phonekeo | Lao People's Democratic Republic |
| Mr. Ahmad Arafa | Lebanon |
| Ms. Onipatsa H. Tianamahefa | Madagascar |
| Ms. Sandra Garcia Loredo | Mexico |
| Ms. Asmae Derkaoui | Morocco |
| Mr. Moustapha Abdou | Niger |
| Mr. Ashar Shahzad | Pakistan |
| Mr. Raúl Martinez Villalba | Paraguay |
| Mr. Nicolae Comanescu | Romania |
| Ms. Dragana Mladenovic | Serbia |
| Ms. Chwane Nomcebo V. Mthethwa | South Africa |
| Ms. Supapan Tiapiriyakij | Thailand |
| Mr. Agossou Kokouda Bocco | Togo |

4. Over the years, the United Nations efforts to promote gender mainstreaming have resulted in the steady increase of female candidates in the programme and, subsequently, in the number of fellowships granted to them. During the biennium 2007-2008, 26 fellowships were granted to women, compared, respectively, to 24, 19 and 13 fellowships in the three previous bienniums.

## B. Programme of studies

5. The United Nations programme of fellowships on disarmament is implemented by the Geneva branch of the Office for Disarmament Affairs. In 2007, the programme lasted from 27 August to 31 October. In 2008, the programme is scheduled to be carried out from 25 August to 25 October. The programme of studies is structured in three segments: (a) activities at the United Nations Office at Geneva; (b) study visits to intergovernmental organizations of relevance in the field of disarmament and to Member States, at their invitation, and (c) activities at United Nations Headquarters in New York. The activities of the 2007 programme are summarized below. The 2008 programme will generally follow the 2007 syllabus, with updates to reflect recent developments in the areas of disarmament and non-proliferation.

### First segment

6. The first segment of the programme, which is held at the United Nations Office at Geneva, is aimed primarily at exposing the fellows to various aspects of multilateral negotiations on disarmament, particularly those serviced by the Geneva branch of the Office for Disarmament Affairs, and acquainting them with Geneva-based research institutions dealing with disarmament, arms control and non-proliferation. This is accomplished through attendance at meetings of the Conference on Disarmament and participation in lectures by senior representatives of States members of the Conference, the substantive staff of the Geneva branch and senior representatives of the United Nations Institute for Disarmament Research (UNIDIR), the Geneva International Peace Research Institute and similar institutions. In 2007, the fellows also had the opportunity to attend a seminar on preventing the spread of weapons to non-State armed groups organized by UNIDIR. In 2008, the fellows will also participate in a study visit to Bern organized by the Federal Department of Foreign Affairs of Switzerland, during which they will be briefed on Swiss security policy issues and the contributions of Switzerland to nuclear and conventional arms control.

7. While in Geneva, the fellows are also required to conduct research and to write the first draft of a paper on a topic of their choice relating to disarmament and international security. Research papers are finalized before being introduced and discussed during the New York segment of the programme.

### Second segment

8. The second segment of the programme comprises study visits to three intergovernmental organizations of relevance in the field of disarmament: the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the International Atomic Energy Agency (IAEA), both of which are based in Vienna, and the Organization for the Prohibition of Chemical Weapons,

which is located in The Hague. In addition, this segment includes study visits to Member States, at their invitation.

9. At the study visit to the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, fellows are briefed on the history of and the current political situation related to the Treaty, the current work of the Preparatory Commission, its verification regime, the activities of the International Monitoring System and the Conference on Facilitating the Entry-into-Force of the Treaty. The visit includes also a guided tour to the new operations centre of the International Data Centre.

10. The study visit to IAEA in Vienna comprises presentations and briefings on practical and legal aspects of the Agency's safeguards system and nuclear safety activities, including the security of nuclear materials and radioactive sources and the IAEA Illicit Trafficking Database. Fellows are also briefed on the peaceful uses of nuclear energy.

11. At the Organization for the Prohibition of Chemical Weapons, fellows are briefed on the mandate and the work of the organization, the genesis and the status of implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, the verification procedures of the Convention, the work of the inspectorate and the inspection process, international cooperation and assistance within the framework of the Convention and the role of national authorities in the implementation of the Convention.

12. In keeping with a tradition spanning more than 25 years, Germany and Japan have continued to invite participants in the programme on study visits to national institutions and to seminars with officials of the respective Governments. The study visits provide the fellows with an invaluable opportunity to become more closely acquainted with the national policies and work of the two Governments in the fields of arms limitation and disarmament. In 2007, participants in the fellowship programme have also been invited for a study visit by the Government of China.

13. The study visit to Germany in 2007 included briefings by and a round table discussion with senior officials of the Division for Disarmament and Arms Control of the Federal Foreign Office in Berlin, a meeting with the Chair of Parliamentary Subcommittee for Arms Control and Disarmament of the Bundestag and a meeting with representatives of non-governmental organizations. The visit also included a highly informative guided visit to a conversion plant in Pinnow, where fellows were briefed, inter alia, on the environmentally friendly methods of destruction of weapons and munitions. The study visit to Germany in 2008 will include similar activities.

14. The Government of Japan and the administrations of the cities of Hiroshima and Nagasaki continued to organize valuable activities for the fellows in 2007. In Tokyo, the fellows were briefed by senior officials of the Ministry of Foreign Affairs on Japan's disarmament policy and met with senior officials from the Centre for the Promotion of Disarmament and Non-Proliferation. In Nagasaki and Hiroshima, the fellows met with local officials and visited sites commemorating the atomic bombings at the end of the Second World War. In Nagasaki they visited the Atomic Bomb Museum, the Peace Park, the Atomic Bomb Home for the Elderly and the National Peace Memorial Hall. In Hiroshima the fellows visited the Atomic

Bomb Dome, the Children's Peace Monument and the Peace Memorial Museum. The fellows also met with survivors of the atomic bombings and heard lectures on the social and medical legacies of those events. The study visit to Japan in 2008 will include similar activities.

15. In 2007, the Government of China invited the participants in the programme for a study visit, which included briefings by and discussions with senior officials of the Department of Arms Control and Disarmament of the Ministry of Foreign Affairs and senior representatives of the China Arms Control and Disarmament Association, which coordinates academic and non-governmental research and activities regarding arms control and disarmament. The fellows also visited the China Institute of Atomic Energy.

**Third segment**

16. The third segment of the programme is held at United Nations Headquarters in New York and is intended to familiarize fellows with the mandate and activities of the Office for Disarmament Affairs and with the work of the First Committee of the General Assembly. The segment includes a series of lectures by the senior staff of the Office for Disarmament Affairs on the responsibilities of its branches, briefings by the Chairman of the First Committee and by members of delegations on items on the agenda of the Committee and regular attendance at meetings of the Committee. The fellows also attend symposiums and panel discussions sponsored by the Office for Disarmament Affairs and the NGO Committee on Disarmament.

17. In 2007, fellows took part in a two-day seminar organized by the James Martin Center for Nonproliferation Studies of the Monterey Institute of International Studies on various aspects of the Nuclear Non-Proliferation Treaty, measures to respond to emerging proliferation threats and nuclear terrorism. They also took part in a simulated round-table discussion on major challenges to non-proliferation.

18. In New York, the fellows participate in discussions on a selected disarmament topic, moderated by the coordinator of the programme, and take part in a practical exercise on preparing, submitting and taking action on draft resolutions for the First Committee of the General Assembly. The exercise includes a discussion of the drafts prepared by the fellows, the introduction of amendments and, lastly, the process of taking action on draft resolutions. In addition, the fellows finalize their research papers and make short presentations on their main theses, which are discussed by the entire group of fellows.

# III. Conclusion

19. Launched in 1979 as a follow-up to a decision of the General Assembly taken at its tenth special session in 1978, the United Nations Programme of Fellowships on Disarmament is aimed at expanding and promoting expertise in disarmament in Member States, particularly the developing countries. During its 30 years of operation, the programme has trained 759 officials from 159 States. Many alumni hold positions of responsibility in the field of disarmament within their own Governments and their Permanent Missions to the United Nations and represent their Governments at various disarmament meetings and conferences. The large number of nominations for the programme received every year by the Office for Disarmament Affairs and the broad support of the biennial resolutions on the United

Nations disarmament fellowship, training and advisory services is a testimony of the undiminished interest of Governments in the programme. The role of the programme in enhancing the capabilities of young diplomats for participation in arms control and disarmament deliberations and negotiations is recognized and appreciated by the Member States. The fellowship programme on disarmament was identified by the Office of Internal Oversight Services as the most successful United Nations training programme it had reviewed (see E/AC.51/1999/2, para. 61).

20. The Secretary-General is gratified that the programme of fellowships on disarmament continues to contribute significantly to developing greater awareness of the importance and benefits of disarmament and better understanding of the concerns of the international community in the field of disarmament and security, and to enhancing the knowledge and skills of fellows, allowing them to participate more effectively in efforts in the field of disarmament at all levels. The programme also plays an important role in facilitating better understanding of disarmament and security concerns of Member States and in fostering progress in disarmament, arms limitation and non-proliferation. The Secretary-General also notes with appreciation the increased number of female candidates nominated for the programme over the years and, subsequently, in the number of fellowships granted to them.

21. The Secretary-General expresses his appreciation to all Member States and organizations that have consistently supported the programme throughout the years, thereby contributing to its success. The Secretary-General extends his particular appreciation to the Governments of Germany and Japan for the continuation of extensive and highly educative study visits for the participants in the programme, as well as to the Government of China for organizing the study visit in 2007 and the Government of Switzerland for organizing a study visit in 2008. The Secretary-General is also grateful to IAEA, the Organisation for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the James Martin Center for Nonproliferation Studies of the Monterey Institute of International Studies for their consistent support of the programme.

United Nations A/63/130

General Assembly

Distr.: General
15 July 2008

Original: English

**Sixty-third session**
Item 60 (a) of the preliminary list*
**New Partnership for Africa's Development: progress in implementation and international support**

# Africa's development needs: state of implementation of various commitments, challenges and the way forward

## Report of the Secretary-General

*Summary*

In its resolution 62/242, the General Assembly requested the Secretary-General to submit to the high-level meeting on Africa's development needs a comprehensive report on "Africa's development needs: state of implementation of various commitments, challenges and the way forward". The present report is submitted in response to that request and constitutes the background document for the meeting.

The report seeks to highlight Africa's underlying development needs and challenges, including the lack of human and institutional capacity to design and implement sound policies and recurrent armed conflict. It reviews all main commitments made by the international community, including the United Nations, and by African countries, to address the continent's needs. In addition to analysing the state of implementation of commitments made by African States and institutions, the report considers the implementation of pledges made by international development partners in such key areas as international development assistance, debt relief and debt cancellation, trade liberalization and aid for trade, and peace and security. It also analyses the role of the United Nations in supporting the African Union and its New Partnership for Africa's Development and assesses progress in reaching the Millennium Development Goals in Africa. The report concludes that meeting Africa's development needs is within reach, provided that African States and the international community act with determination to turn existing commitments into concrete actions. To that end, the report makes some practical recommendations to improve the international community's efforts to address Africa's development needs.

* A/63/50.

08-42297 (E) 110808

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# I. Introduction

1. In resolution 62/242, the General Assembly, recalling its resolutions 61/229 and 62/179, decided that the high-level meeting on the theme "Africa's development needs: state of implementation of various commitments, challenges and the way forward" would be held on 22 September 2008. The Assembly requested the Secretary-General to submit to the high-level meeting a comprehensive report on the theme of the meeting. The present report is submitted in response to that request.

2. Africa has recently been the focus of considerable international attention. It has been the subject of the majority of Security Council resolutions in recent times, and ranks high on the current priority lists of the United Nations development and humanitarian agencies, as well as those of the other multilateral organizations and specialized agencies such as the World Bank, the International Monetary Fund (IMF) and the Organization for Economic Cooperation and Development (OECD), and of the Group of Eight. More recently, there has been a new trend towards the organization of multilateral summits in support of Africa, such as the Forum for China-Africa Cooperation, the South America-Africa Summit, the fourth Tokyo International Conference on African Development, the European Union-Africa Summit, the India-Africa Forum, and the Turkey-Africa Summit.

3. Attention has become particularly focused on Africa as it becomes clear that progress on the achievement of the Millennium Development Goals and other internationally agreed development goals is off track on the continent. This year marks the midpoint in the global effort to achieve the Goals by 2015, but on the basis of current trends, no African country is likely to achieve all of them. Fragile and post-conflict countries face particular challenges in generating momentum to reduce poverty and advance on improving living standards. Success stories on individual Goals across a range of countries show, however, that rapid progress can be made when sound domestic policies are matched with substantial technical and financial support from the international community. It is particularly timely, then, for the General Assembly to devote a day to taking stock of Africa's development needs in order to ensure that Africa's efforts to address them are met with commitments to action by the international community.

4. Building on the momentum that is being generated by the world's renewed attention to Africa and the bold initiatives of the continent's leaders, the twenty-first century should be the African century. The high-level meeting on Africa's development needs, and the high-level event on the Millennium Development Goals to be held on 25 September 2008, provide key opportunities to renew the political will to implement existing commitments to address Africa's development needs. They also provide timely occasions for all stakeholders to announce commitments to tangible action in support of the achievement of the Goals in Africa.

5. The present report takes stock of Africa's development needs and identifies actions that, if implemented, would ensure that these needs are addressed in the course of reaching the Millennium Development Goals and the internationally agreed development goals. The report is divided into three parts: first, it examines Africa's development needs and challenges within the present global, regional and national contexts; second, it takes stock of the main commitments made by African countries and the international community to address these challenges; and third, it provides recommendations that could positively impact the continent's

development. This report benefited from field consultations with the African Union (AU) Commission, the secretariat of the New Partnership for Africa's Development (NEPAD), the secretariat of the African Peer Review Mechanism, the United Nations Economic Commission for Africa (ECA) and OECD. The report also draws on the work of the MDG Africa Steering Group, which was first convened by the Secretary-General in September 2007 to catalyse, at the midpoint, more effective and efficient action by the international community in support of the Goals in Africa. Additionally, an inter-agency task force was convened to review and consult on the various stages of the preparation of the report.

## II. Africa's development needs and challenges

6. Africa is endowed with human and natural resources, environmental diversity, and cultural and archaeological richness. The region is a youthful continent with over 920 million people, of whom 60 per cent are under 25 years of age. The last decade witnessed the end of several long-running civil wars and the consolidation of democratic rule in a majority of States in the region. The resumption of growth in many African economies since the mid-1990s has been similarly noteworthy. In 2007, Africa's real growth averaged 5.8 per cent, a rate comparable to and even higher than those of many other developing regions. This growth rate is attributable not only to improvements in the continent's terms of trade resulting from higher commodity prices, including for oil, but also to improved macroeconomic management and political governance. Across the continent, rates of inflation are low, fiscal balances are strong and reserves are being accumulated. Recent external debt relief has contributed to a reduction in debt overhang and liquidity constraints, which has opened space for enhanced social spending.

7. Africa's vast potential is, however, far from being fully harnessed. The continent remains one of the poorest regions in the world with about two fifths of its population living on less than US$ 1 a day. Despite strong overall economic performance in many countries, none are growing fast enough to make a substantial dent in their poverty numbers. In fact, at the midpoint for the achievement of the Millennium Development Goals, no country in Africa is on track to achieve all of them. In many economic dimensions, the continent is not realizing its potential. For instance, although the region represents 12 per cent of the world's population, it accounts for about 1 per cent of global gross domestic product (GDP) and 2 per cent of world trade. The region is also overrepresented in some undesirable areas: Africa is home to 75 per cent of the people infected with HIV/AIDS worldwide and 90 per cent of the annual deaths caused by malaria occur on the continent.

8. Africa is confronted by four key challenges: a global food crisis, profound climate change, soaring energy prices and persistent extreme poverty. High food prices are having a dramatic impact on African economies since most Africans, both rural and urban, are net purchasers of food. Some of the causes of the spike in prices, including high population growth rates, low agricultural productivity, limited access to technology and the impact of high oil prices on transport costs, are felt most acutely in Africa. As temperatures continue to rise, Africa's poor, who have contributed the least to global warming, are the most vulnerable to its adverse effects. The impact of climate change is already being felt in Africa. Rainfall patterns are changing, crops are wilting and pastoralists spend more time in search of water and grazing grounds. Climate change may alter patterns of agriculture and

trigger population displacement, which could have a significant negative impact on African economies.[1] Though Africa is the most severely affected by these challenges other regions, including the United States, Europe, India and Australia, are also being buffeted by droughts, floods, record commodity prices and stagnating growth. In this context, the well-being and interests of other regions are intimately tied to the satisfaction of Africa's development needs.

9. Violent conflict leads to loss of manpower, destruction of infrastructure, diversion of economic assets, misappropriation of natural resources and underperformance of foreign direct investment. In 1998, the Secretary-General's seminal report, "The causes of conflict and the promotion of durable peace and sustainable development in Africa" (A/52/871-S/1998/318), highlighted the historical legacies, the combination of internal and external factors and the economic motives that lead to conflict and hamper development in Africa. The 2007 follow-up report of the Secretary-General (A/62/204) noted that the basic conditions required for sustained peace and development have yet to be adequately consolidated on the continent. Poverty, weak State institutions, poor management of natural resources, failure to protect human rights and threats related to climate change were persistent. In similar fashion, the Constitutive Act of the African Union acknowledges that the scourge of conflicts in Africa constitutes a major impediment to the socio-economic development of the continent.

10. The legacy of colonialism includes the loss of key human and natural resources and the demarcation of arbitrary borders, and an inhibited process of political and economic development. African leaders themselves have declared that these adverse consequences of colonialism should, however, not be used to absolve them from responsibility. Reflecting this view, the AU Constitutive Act and the NEPAD programme recognize that the impoverishment of the African continent was exacerbated by shortcomings in the policies pursued by many countries in the post-independence era.

11. Performance indicators suggest that actions taken by some African Governments have had a detrimental impact on the living conditions of their citizens. Some African countries have been characterized by overly personalized rule, excessive centralization of power and institutionalized corruption, which have in many cases severely undermined the prospects for economic growth and political stability. African Governments have, however, committed themselves to actively promote human rights, the rule of law and the consolidation of democracy by, for instance, subscribing to APRM and NEPAD.

12. Even as countries have educated and trained their people, many individuals who have benefited from such investment have contributed to the brain drain, thus depriving these countries of the requisite human capital for public and private management. The creation and retention of capacity for development should therefore be a high priority. Moreover, technical and vocational training in Africa is poorly funded and managed. Consequently, African countries face high youth

[1] See World Bank and International Monetary Fund (IMF), *Global Monitoring Report 2008: MDGs and the Environment: Agenda for Inclusive and Sustainable Development*, 2008; *Africa's Development: Promises and Prospects*, report of the Africa Progress Panel, June 2008; or *Achieving the Millennium Development Goals in Africa: recommendations of the MDG Africa Steering Group*, June 2008.

unemployment and a shortage of skills. Currently, in sub-Saharan Africa over 20 per cent of young people are unemployed.[2]

13. Although the international community has provided support for Africa's development, this assistance needs to be made more effective. In some cases, support programmes have not been adequately tailored to the needs and specificities of individual African countries. This has caused considerable strain on existing economic, social and political structures, as well as Africa's financial and human resources. These sectoral-level stresses were, in certain instances, intensified by macroeconomic structural adjustment programmes and their associated conditionalities which may have overly emphasized adjustment over development and social priorities, resulting in lower than expected rates of economic growth, industrialization and development.

# III. Commitments and state of implementation

14. Efforts by African States and institutions and by the international community towards meeting Africa's development needs have varied widely in terms of quality, quantity and effectiveness. At the midpoint of the campaign to achieve the Millennium Development Goals, critical reflection is appropriate and timely. In the following sections, progress on the implementation of the major commitments towards Africa's development needs is reviewed.

## A. Plans of action and progress by African States and institutions

15. In July 2001, the thirty-seventh Assembly of Heads of State and Government of the Organization of African Unity formally adopted NEPAD as an integrated socio-economic development framework for Africa. NEPAD centres on African ownership and reflects African leaders' common vision and shared commitment to eradicating poverty and to placing their countries, both individually and collectively, on the path to sustainable growth and development. It also seeks to promote the role of women in all activities. More fundamentally, NEPAD was designed as the policy framework for achieving the Millennium Development Goals in Africa. The notion of partnership embedded in NEPAD is one of the strengths of the initiative. NEPAD places emphasis on collaboration between African Governments and their development partners, and between the Governments and their peoples, including the private sector and civil society. As a programme of AU, NEPAD establishes the conditions for sustainable development by ensuring peace and security, building democracy and good governance; engendering policy reforms and increased investments in priority sectors; and mobilizing resources for implementation.

16. As a programme of AU the underlying objectives of NEPAD are fourfold: first, to eradicate poverty in Africa and to place African countries on a path of sustainable growth so that the marginalization of the continent in the globalization process is halted; second, to promote the role of women in all activities; third, to achieve and sustain an average GDP growth rate of over 7 per cent per annum for the next 15 years; and finally, to ensure that the continent achieves the Millennium

[2] See Economic Commission for Africa and African Union, *Economic Report on Africa 2005: Meeting the Challenges of Unemployment and Poverty in Africa*, 2005.

Development Goals. These commitments were reiterated at the NEPAD Review Summit held in Dakar, in April 2008.

17. The commitment to poverty eradication was strengthened with the adoption in 2004 of the Ouagadougou Declaration and Action Plan on Employment and Poverty Alleviation in Africa. The 23 commitments set out in the Declaration include a pledge to develop integrated economic and social policies and effective reforms at national, regional and continental levels to address structural constraints to investment and entrepreneurship, promote private-public partnerships, encourage corporate social responsibility, and create an enabling environment for increased production and decent employment opportunities.

18. The commitments of African Governments to the promotion of the role of women have been expressed, inter alia, in the 1994 Dakar Platform for Action, the Constitutive Act of the African Union, the 2003 Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa, the Solemn Declaration on Gender Equality in Africa of 2004 and the ongoing formulation of the African Union gender policy. However, only 23 countries have ratified the 2003 Protocol. Moreover, while the Solemn Declaration commits States to include the participation and representation of women in peacekeeping processes, implementation of the commitment has been rather limited. African States need to redouble their efforts to integrate the gender provisions into their national policies and expeditiously narrow the gender gap.

19. Africa has experienced record economic growth for the last four years. According to the *Economic Report on Africa 2008*,[3] in 2007 the continent registered 5.8 per cent GDP growth. Since 1994, Africa's growth has averaged nearly 5.0 per cent, considerably higher than the rate of less than 2 per cent that prevailed in the 1980s.[4] Nevertheless, African economies are still far from attaining the ambitious 7 per cent estimated growth threshold for meeting NEPAD objectives. Many African countries have made progress on poverty recently, with the proportion of the population in sub-Saharan Africa earning less than US$ 1 per day falling from 45.5 per cent in 1993 to 41.1 per cent in 2004, for instance.[5]

20. The slow rate of overall progress in attaining the Millennium Development Goals is a serious cause for concern. The first joint meeting of the AU Conference of Ministers of Economy and Finance and the ECA Conference of African Ministers of Finance, Planning and Economic Development in March/April 2008 acknowledged that the main constraints include delays in the implementation of national development plans and strategies and mobilization of adequate resources to scale up investments in key sectors for achieving the Millennium Development Goals. In the Ministerial Statement adopted by the joint meeting, African countries reaffirmed their commitment to the full and timely realization of the Millennium Development Goals and called on their development partners, including the United Nations system, to support these efforts through enhanced financial and technical assistance. The joint meeting also identified key priorities and concrete actions to be taken in meeting the Goals, particularly in such areas as industry, climate change mitigation, infrastructure development and financing for development.

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[3] Economic Commission for Africa and African Union, *Economic Report on Africa 2008: Africa and the Monterrey Consensus: Tracking Performance and Progress*, 2008.

[4] Derived from World Bank, *World Development Indicators Online*, 2008.

[5] World Bank, *World Development Indicators Online*, 2007.

21. NEPAD has identified strategic priority areas of action in agriculture, infrastructure, good governance, investment, health and education. In agriculture, commitments include: the 2003 Comprehensive African Agriculture Development Programme framework calling for 6 per cent agricultural growth rates; the 2003 Maputo Declaration on Agriculture and Food Security in Africa calling for 10 per cent of public expenditure to be devoted to agriculture and rural development by 2008; the 2004 Sirte Declaration on the Challenges of Implementing Integrated and Sustainable Development in Agriculture and Water in Africa, which contains 25 ambitious commitments including a reaffirmation of the ones made through the Programme and in the Maputo Declaration; and the 2006 resolution of the Abuja Food Security Summit. Progress is being made in implementing the Comprehensive African Agriculture Development Programme framework with the conclusion of regional compacts through the regional economic communities (RECs). Also, in the context of the current food crisis, AU/NEPAD adopted in March 2008 an ambitious Framework for African Food Security which encompasses immediate, medium-term and long-term priorities to increase food supply. The latest AU figures show that only six countries have reached the Maputo target of 10 per cent of the national budget allocated to agriculture. Similarly, according to AU, only 11 countries have fulfilled the commitment on agriculture growth rates contained in the Comprehensive African Agriculture Development Programme.

22. In the area of infrastructure, the major commitments were expressed in the NEPAD blueprint, which proposes a programme that includes increased investment both in maintenance and in new infrastructure, new regulatory frameworks and the promotion of public-private partnerships. The implementation of these commitments has been mixed. On the positive side, coordination has improved at the national level and for cross-border projects. Indeed, many countries have prepared strategic frameworks for road transport. In addition, in 2005, African countries and institutions supported the establishment of the Infrastructure Consortium for Africa, which will strengthen the NEPAD Short-Term Action Plan and the Medium- to Long-Term Strategic Framework. Furthermore, a Coordination Mechanism for the Development of Infrastructure in Africa was adopted in 2006 by AU, NEPAD, regional economic communities and the African Development Bank, in order to forge a common agenda for the promotion of Africa's infrastructure development. Nevertheless, constraints exist. According to the MDG Africa Steering Group, the continent has tangible limitations in transformational energy generation projects, including large-scale hydropower and transmission networks, and in infrastructure maintenance.

23. The AU commitments to good governance have been expressed on several occasions, commencing with the 2000 Lomé summit of the Organization of African Unity, which adopted the AU Constitutive Act, and the AU inaugural summit in Durban, South Africa, in 2002. African States have also adopted governance initiatives, including the 2001 NEPAD blueprint for conditions for sustainable development in Africa; the 2002 Declaration on Democracy, Political, Economic and Corporate Governance; the 2003 African Union Convention on Preventing and Combating Corruption; the Protocol to the African Charter on Human and People's Rights, which came into force in 2004; and the 2007 African Charter on Democracy, Elections and Governance. In the NEPAD programme, African States specifically pledged to reform administrative and civil services, strengthen parliamentary

oversight, promote participatory decision-making, adopt effective measures to combat corruption and undertake judicial reforms.

24. African States have established the African Peer Review Mechanism, a self-monitoring instrument to promote good governance in the continent. The programme benefits from strong technical and financial support from its strategic partners, ECA, UNDP and the African Development Bank. To date 29 countries have acceded to the African Mechanism, 14 have established national self-assessment structures and 7 have been peer-reviewed (Algeria, Benin, Ghana, Kenya, Rwanda, South Africa and Uganda). Although the Mechanism should be commended for its credibility and rigour, some limitations still exist. First, it needs a stronger connection to two key constituencies: the citizens in whose name it is being undertaken, through outreach by Government, media and civil society, and to the wider African and international community. Second, the political will may be lacking in certain African countries to act upon the recommendations drawn up by the African Mechanism to ensure that the extraordinary opportunities created by the Mechanism are not missed. The peer-review exercise needs to be followed up with concrete political actions. Greater awareness of the Mechanism and its process among both civil society and the private sector would increase pressure on Governments to deliver on promises and plans. There is, therefore, a need for these actors to engage in an active dialogue and to take a proactive role in the implementation of the Mechanism and of NEPAD in general.

25. Creating a conducive environment for private-sector investment is crucial for sustainable growth and development. The NEPAD blueprint underlines the importance of increasing private capital flows to Africa and identifies priorities including efforts to address misperceptions of risk, building private-public partnerships and deepening capital markets. Another concrete action taken to develop the private sector is the decision by AU at the 2005 Abuja summit to institutionalize the African Private Sector Forum. This important platform for dialogue between the private sector and policymakers provides an opportunity for actors to exchange views on ways to enhance business activities. The report of the MDG Africa Steering Group of June 2008 also highlights the private sector as an essential contributor to the achievement of sustained growth and the Millennium Development Goals through its core function of creating economic value, delivering targeted investments and services through public-private partnerships, and providing critical co-financing in infrastructure and other public investments. According to the World Bank and the International Finance Corporation, many African countries have implemented important reforms such as simplifying business regulations, strengthening property rights, easing tax burdens, increasing access to credit and reducing the cost of exporting and importing. As a result, the "cost of business start-up procedures" as a percentage of gross national income (GNI) per capita has fallen from 260.1 in 2003 to 148.1 in 2007.[4] Remarkable increases in net private capital flows have been recorded, including foreign direct investment (FDI), commercial bank debt and portfolio flows, from $13 billion in 2002 to over $60 billion in 2006. Though still small in comparison to other regions, net inflows of FDI as a percentage of GDP have increased from 0.1 in 1980 to 2.0 and 2.4 in 2000 and 2006, respectively.[4]

26. African countries have also made important commitments in the health sector. First, they have pledged to increase health budgets to 15 per cent of public expenditure. This goal was set out in the 2001 Abuja Declaration on HIV/AIDS,

Tuberculosis and Other Related Infectious Diseases, followed up by the 2003 Maputo Declaration on HIV/AIDS, Tuberculosis, Malaria and Other Related Infectious Diseases, and reaffirmed by the AU health ministers at the Abuja summit in 2006. To date, however, only six countries have reached this goal. Second, in the Abuja Declaration African Governments expressed their commitment to making the fight against HIV/AIDS a top priority of national development. There is a positive record in this regard: most of the African countries have set up national authorities to coordinate the fight against HIV/AIDS and have introduced a strategic framework of action, a third have created national monitoring and evaluation systems and 43 per cent have set up coordinating authorities at a subnational level. Moreover, the Abuja Declaration commits States to introduce a national strategy for tuberculosis. To date, 18 countries have declared tuberculosis a national emergency and implemented special action plans to accelerate control. Finally, the 2000 Abuja Declaration and the Plan of Action on Roll Back Malaria include the commitment of African leaders to catalyse actions at the regional level to ensure implementation, monitoring and management of Roll Back Malaria, a programme launched in 1998 by the World Bank and various United Nations agencies. However, progress has been slow in establishing regional policies to fight malaria and according to the World Health Organization (WHO) between 700,000 and 1.3 million people die of malaria every year in sub-Saharan Africa.[6] These commitments have been incorporated into the recent AU Health Strategy 2007-2015, whose objective is to contribute to Africa's socio-economic development by improving the health of its people by 2015.

27. Education is another key priority within the continent, reflected in the adoption of the two action plans on the first (1997-2006) and Second (2006-2015) Decades of Education for Africa. The evaluation by AU of the first Decade, which focused on equity and access to basic education; quality, relevance and effectiveness of education; complementary learning modalities; and capacity-building, revealed that most of the goals set in the action plan were not achieved. For the Second Decade of Education, the action plan makes bolder commitments, including developing functional national educational management information systems, raising educational achievement (access, quality, efficiency, relevance) and attaining full gender equality in primary and secondary education. According to the plan, the regional economic communities shall evaluate each country plan for alignment with the continental plan and shall also monitor implementation of country plans.

## B. Commitments and progress by the international community

28. As African leaders have articulated, the primary responsibility for Africa's development rests with Africans themselves. Their efforts have, however, been strongly supported by international partners. NEPAD and the Millennium Development Goals provide the shared blueprints around which African countries, together with the United Nations, international development partners and South partners, have aligned their efforts to advance Africa's development. This section discusses the role these international partners are playing to address the continent's needs, in conjunction with Africa's Governments.

[6] WHO, *The Africa Malaria Report 2006*.

**United Nations support to Africa's development**

29. The contribution of the United Nations to African development ranges from policy research and analysis to the provision of various forms of financing, support, technical assistance, capacity- and institution-building, advocacy and humanitarian relief. Over the years, the United Nations has focused its contribution to Africa's development needs on two priority areas of action: support to NEPAD and the Millennium Development Goals.

**United Nations support to the African Union and its NEPAD programme**

30. The terms of the commitment of the United Nations to NEPAD are laid out in General Assembly resolution 57/7 in which the United Nations pledges to support the implementation of NEPAD through a variety of actions including enhanced advocacy, technical cooperation for capacity-building, mobilization of resources, monitoring and reporting of development activities and strengthened coordination in the delivery of the programmes. Building on these commitments over the years, the United Nations has shown strong resolve to support NEPAD, as demonstrated by the alignment of its priorities with those of NEPAD, the provision of technical and financial support for the development of various New Partnership for Africa's Development projects and the initiation of the Regional Consultations Mechanism. The Mechanism was established in 2002 to coordinate United Nations system-wide support to NEPAD at the regional and subregional levels. ECA is the strategic coordinator of the Mechanism and the convener of the annual regional consultation meetings. The Mechanism is organized around nine thematic clusters covering the priority areas of NEPAD. Since the 2003 Maputo Declaration on the integration of NEPAD into the structures and processes of AU, United Nations support for African development has reflected AU priorities.

31. The Regional Consultations Mechanism process is a compelling architecture of cooperation. In the last several years, coordination of the clusters has improved and the focus of cluster activities has sharpened. In addition, there is increased participation by the AU Commission, the NEPAD secretariat, the African Development Bank and regional economic communities in the Regional Consultations Mechanism. The AU Commission and the NEPAD secretariat now co-chair meetings of RCM and clusters. However, the Mechanism's cluster system needs to be refined and further aligned with AU programmes and priorities. Furthermore, the cluster system needs to mainstream adequately the gender, health, culture and regional integration priorities of AU and its NEPAD programme. In terms of accountability, the Mechanism needs to enhance the implementation of recommendations and to systematically monitor and evaluate outcomes and their impacts. There is a need for increased commitment and institutional leadership at the highest level, as well as the provision of sufficient dedicated resources. The secretariat, located at ECA, also needs to be strengthened. Nevertheless, overall, the Regional Consultations Mechanism process is an effective architecture to support AU and its NEPAD programme. Its cluster nature is a tangible indication of the efforts of the United Nations to coordinate its support in a manner coherent with the AU priorities. Work is currently ongoing to enhance the function of RCM with a view to accelerating the implementation of NEPAD and the cooperation programme between the United Nations and the African Union.

32. The 10-year capacity-building programme, signed in 2006, between the African Union and the United Nations provides the appropriate framework for the United Nations to assist in building the capacity of the African Union. It reflects their joint commitment to further solidify the already productive partnership between the two organizations.

33. At the global level, the Office of the Special Adviser on Africa strategically coordinates global advocacy and support for NEPAD. The Office marshals increased international support and improved coherence and coordination of United Nations system support to Africa. More generally, it raises international awareness of Africa's development needs.

**Internationally agreed development goals**

34. The internationally agreed development goals and the Millennium Development Goals provide a globally endorsed framework to address the four crises facing Africa through the pursuit of sustainable development. Since their articulation at the 2000 Millennium Summit of the United Nations, the Millennium Development Goals have become the world's agreed time-bound and quantified sustainable development targets aimed at addressing extreme poverty in its many dimensions — income poverty, hunger, disease, lack of adequate shelter and exclusion — while promoting gender equality, education and environmental sustainability. They also embody basic human rights: the rights of each person on the planet to health, education and security. Together with the other internationally agreed development goals, the Millennium Development Goals represent an ambitious, but feasible, guide for domestic and international efforts to alleviate extreme poverty in Africa by 2015. The Millennium Development Goals are Africa's goals and they are the world's goals. In the 2005 World Summit Outcome, Member States and the United Nations demonstrated their commitment to ensure the full and timely realization of the Goals. On numerous subsequent occasions, the United Nations and Member States have underlined their aim to galvanize international support for the Goals. The Millennium Development Goals have also been incorporated in the NEPAD treaty and the African Peer Review Mechanism. Indeed, they form the basis of almost all poverty reduction strategy papers, although many of these set objectives that go further than the Millennium Development Goals.

35. Implementation remains the key challenge in translating poverty reduction strategies into real progress on the Millennium Development Goals. The United Nations system has sought to support African countries' efforts to implement their poverty reduction strategies through a variety of means. Little debate remains over key concepts, but the aid still is deficient. The challenge is now follow-through and ensuring coherence among various initiatives.

## MDG Africa Steering Group

36. To galvanize support in achieving the Millennium Development Goals in Africa, the Secretary-General launched the MDG Africa Steering Group in September 2007. The main objectives and commitments of the Steering Group are first, to draw up practical proposals to complement and support the activities related to the Millennium Development Goals by quantifying assistance needs, strengthening international mechanisms, resolving bottlenecks in existing

mechanisms and filling gaps; second, to identify practical steps to improve aid predictability; third, to enhance support at the country level towards improving policies for scaling up interventions to achieve the Millennium Development Goals; and fourth, strengthening the statistical capacities of African countries to monitor progress. The Group, which features an unprecedented level of collaboration among the leaders of the international development community engaged in Africa, has recently agreed on a set of concrete recommendations which, if fully implemented, could effectively advance Africa's development.

37. The endorsement of the Steering Group's recommendations by the AU Assembly of Heads of State and Government held in Sharm El-Sheik, Egypt, on 30 June and 1 July 2008, represents an important milestone towards the implementation of an effective action plan for the achievement of the Millennium Development Goals in Africa. The Secretary-General invites all development partners to contribute to their effective implementation.

38. *The Millennium Development Goals Report 2007* published by the United Nations indicates that progress in the majority of countries in Africa is off track for achievement of the Goals by 2015. While the proportion of people living on US$ 1 dollar a day or less has declined from 45.9 per cent of Africa's populace in 1999 to 41.1 per cent in 2004,[5] achievement of Goal 1, which calls for extreme poverty to be cut in half by 2015, requires that the current pace of poverty reduction be nearly doubled. Although economic growth since 1995 has been considerable in Africa, this varies considerably across countries. For example, some 26 African countries, representing 78 per cent and 70 per cent of sub-Saharan Africa's GDP and population, respectively, experienced an average annual GDP growth of 6.9 per cent over the last decade.[7] Yet one third of African countries achieved average growth of only 2.1 per cent over the same period.[8]

39. African economies are expected to grow by an average of 6.2 per cent in 2008,[3] in spite of a slowing world economy. However, attaining the Millennium Development Goals would require that the high growth be sustained, while concurrently improving the rate at which the growth is transformed into human development. The primary responsibility for achieving the Goals, as reflected in the MDG Africa Steering Group report, remains with African Governments, which are putting in place comprehensive programmes. Their leadership is fundamental to overcoming the major impediments to attaining the Millennium Development Goals, such as climate change, infrastructure bottlenecks and rising inequality.[3] The special circumstances of post-conflict economies require particular attention.[9] These difficulties should not, however, overshadow the fact that a number of African countries are indeed on track to meet some of the Millennium Development Goals.

40. Notwithstanding dramatic increases in the number of school-age children, universal primary education enrolment rates have increased substantially, from 57 per cent in 1999 to 70 per cent in 2005, largely in response to policy measures, such as free primary education policies, school feeding programmes and capitation grants, aimed at reducing financial barriers to education. However, educational

[7] Derived from World Bank, World Development Indicators database.

[8] World Bank and International Monetary Fund, *Global Monitoring Report 2008: MDGs and the Environment*, 2008.

[9] See *Post-Conflict Economies in Africa*, A. K. Fosu and P. Collier (eds.) (New York: Palgrave Macmillan, 2005).

quality has suffered as investments in education-related inputs, including infrastructure, human resources training and retention, have lagged behind the pace of enrolment. Thus, there is a need to intensify efforts to improve both education enrolment and quality.

41. In terms of gender equality, the share of parliamentary seats held by women in Africa has increased significantly, from 7 per cent in 1990 to 17 per cent in 2007. Yet, the share of women in non-agricultural wage employment has increased only from 28 to 32 per cent from 1990 to 2005.

42. Child mortality rates dropped from 185 per 1,000 live births in 1990 to 166 per 1,000 in 2005, well short of the objective of a two-thirds reduction by 2015. However, the proportion of 1-year-old children immunized against measles in sub-Saharan Africa has risen significantly from 49 per cent in 1999 to 64 per cent by the end of 2005. In North Africa progress is even more noteworthy, the proportion increasing from 85 per cent in 1990 to 95 per cent in 2005.

43. Particularly worrying are the 1:16 odds that a sub-Saharan African woman will die from complications of pregnancy and childbirth during her life, compared to 1:3,800 in the developed world. The proportion of births attended by skilled health personnel in sub-Saharan Africa has increased minimally, from 42 per cent in 1990 to 45 per cent in 2005, though the rate of increase in North Africa has been remarkable — from 40 per cent to 75 per cent — during the same period.

44. The continent is lagging behind on the objective of combating HIV/AIDS, malaria and other diseases. The number of people living with AIDS in Africa in 2007 was estimated to be between 21 and 24 million. Every year, there are an estimated 1.7 million new infections. Southern Africa is a particularly hard-hit area. It has 65 per cent of all HIV/AIDS cases in the world and in some countries over 20 per cent of the population is infected. However, three African countries have achieved universal access to antiretroviral treatment.

45. Regarding environmental sustainability, only 42 per cent of the people in rural areas had access to clean water in 2004 and 63 per cent of the entire population lacked access to basic sanitation facilities. The continent is still far from the target of cutting this proportion in half by 2015. Also, with the rapid extension of cities, 62 per cent of the African urban population lives in slum conditions, the world's largest proportion.

46. Finally, Goal 8 calls for the development of an open, rule-based, predictable, non-discriminatory trading and financial system. The full assessment of Goal 8 is presented in section III.B below on commitments and progress by the international community.

**System-wide coherence**

47. The complex nature of the development problems facing Africa requires a harmonized and coordinated effort by the various funds, programmes and specialized agencies of the United Nations system in the region. This need for a comprehensive response to global poverty was the primary message conveyed by the United Nations Millennium Declaration. The report of the Secretary-General's High-level Panel on United Nations System-wide Coherence in the areas of development, humanitarian assistance and the environment (see A/61/583) also called for a coherent development system which would unify and integrate the work

of the Organization. The pre-evaluation in 2008 of the "Delivering as one" pilot programmes, a strategy that calls for simplification and harmonization of all United Nations activities devoted to each country in one country programme and one budgetary framework, shows that national ownership and leadership are being strengthened and alignment with national policies and strategies is more explicit. Of the eight pilot programmes under "Delivering as one", one half are in Africa (Cape Verde, Mozambique, Rwanda and the United Republic of Tanzania). Meanwhile, the Regional Consultations Mechanism, involving United Nations agencies and organizations working in Africa, provides a framework for "delivering as one" at the regional and subregional levels in support of the African Union and its NEPAD programme.

48. Although the United Nations is on the right track to deliver on the promises made by the United Nations Millennium Declaration, there is still a long road ahead. There is a tendency in the United Nations to support a proliferation of Africa-related activities which creates incoherence and sub-optimal use of scarce resources. For example, more than 30 United Nations organizations deal with the crucial issue of sustainable development and at least three major organizations focus on agriculture and food security. There is certainly a need for rationalization and coordination of these activities for maximum efficiency, effectiveness and sustained impact.

**International development partners**

49. The 2000 United Nations Millennium Declaration included a section on Africa's development needs, wherein Member States pledged to assist African Governments in their struggle for lasting peace, poverty eradication and sustainable development. Two years later, in Johannesburg, South Africa, participants in the World Summit on Sustainable Development agreed on a wide range of bold commitments and implementation plans in areas such as water and sanitation, energy, health, agriculture, and biodiversity and ecosystem management. Also in 2002, the International Conference on Financing for Development, held in Monterrey, Mexico, became the major reference point for international development cooperation. The 2005 World Summit Outcome similarly reaffirmed the international community's commitment to address the special needs of Africa and called for timetables to implement scaled-up development assistance. Since the Group of 8 summit in Kananaskis, Canada, in 2002, where development partners adopted the Africa Action Plan, the special needs of the continent have featured in all annual Group of 8 summits. In 2003, the Group of 8 also agreed to establish the Africa Partnership Forum, tasked with monitoring implementation of their commitments, as well as those made by other donors and African Governments themselves.

50. The following section reviews and assesses the progress of the major commitments made by the international community in the following four areas: (a) international development assistance; (b) debt relief and debt cancellation; (c) trade liberalization and aid for trade; and (d) peace and security. The development of the continent presupposes a multifaceted and integrated approach. These four avenues are critical to accomplishing that objective.

**International development assistance**

51. The aid system today is characterized by stronger national ownership, expanded use of national capacity, increased use of budget support and some limited predictability in aid flows. Official development assistance (ODA) is increasingly performance based and results oriented. In addition, non-State actors such as private foundations, international NGOs and new bilateral donors have gained considerable influence. This new context was promoted in the United Nations Millennium Declaration, which pledged to create an environment conducive to development and to the elimination of poverty. It was materialized later by the deliberations of three landmark conferences. First, in 2002, States adopted the Monterrey Consensus on Financing for Development, which identifies the means for ensuring the availability of sufficient financial resources to reach the goals set by the major United Nations conferences and summits. Second, in 2003, heads of development institutions adopted the Rome Declaration on Harmonization, which commits participating institutions to simplifying and harmonizing their requirements as well as reducing associated costs, while improving fiduciary oversight and public accountability and enhancing the focus on concrete development results. Finally, the 2005 Paris Declaration on Aid Effectiveness committed the signatories to continuing their efforts towards improving harmonization and alignment. Given this background, a review of the main commitments and an assessment of their implementation is fundamental. The current report focuses on three pivotal areas: financing for development, quantity of aid and quality of aid.

52. On financing for development, according to the *Economic Report on Africa 2008*,[3] the evidence on implementation of the Monterrey Consensus commitments suggests that substantial progress has been made in the area of external debt relief (see below). However, there has been very limited progress in such areas as mobilizing both domestic and international financial resources for development, promoting international trade as an engine of development, increasing international financial and technical cooperation for development and addressing systemic issues. As the Secretary-General observed in his report on the follow-up to and implementation of the Monterrey Consensus (A/62/190), remittances have become an increasingly important source of finance for heavily indebted poor countries. In 2006, recorded remittances in Africa reached $22 billion, equivalent to about one half of ODA to the region. While important, they do not support the public investments needed to reach the Millennium Development Goals.

53. Aid to Africa increased from 1960 to reach a first peak in 1990 of $33.4 billion (at 2005 prices and exchange rates). However, the share of aid to Africa in the 1990s declined, before picking up again after 1999, as Africa became the focus of the international donor community. According to OECD, aid to Africa rose to about 41 per cent of total aid in 2006, reaching a record $43.4 billion and representing an increase of $6.9 billion in real terms over 2005 levels and a nominal $12.4 billion increase over 2004 amounts. Most of the increase was, however, due to debt relief. ODA, net of debt relief, rose by 8 per cent between 2005 and 2006 compared with the 41 per cent increase in non-adjusted aid inclusive of debt relief. Despite this upward trend in ODA, donors are falling behind their commitments. According to OECD, donors "will need to achieve unprecedented increases"[10] in order to deliver

[10] Statement from the OECD-DAC issued in April 2008, cited in *Africa's Development: Promises and Perspectives*, p. 15.

on the commitment made at the G-8 summit at Gleneagles, United Kingdom, in 2005 to more than double aid to Africa in real terms. This emblematic initiative was recognized by the High-level Panel on Financing for Development, the Monterrey Consensus, the reports of the United Nations Millennium Project, the report of the Commission for Africa,[11] and the 2005 World Summit. The 2005 Group of 8 summit agreed most emphatically to double ODA to Africa by 2010 which, according to OECD and the MDG Africa Steering Group, presupposes raising aid flows from $29 billion in 2004 to $54 billion in 2010 (at constant 2004 prices). At 2007 prices and exchange rates, this comes to about $62 billion. With the further decline in the United States dollar in 2008 the Gleneagles commitment would now be worth even more in nominal terms, which makes the extra effort that will be required to achieve the Gleneagles commitment in 2010 that much more substantial.

54. The Monterrey Consensus also reaffirmed the target, first articulated in 1970, to raise aid volumes to the equivalent of 0.7 per cent of donors' GNI. The 2005 World Summit Outcome called upon countries to identify timetables for reaching this goal. In the European Consensus on Development, adopted in 2005, the European Union (EU) agreed to a collective interim target of ODA equivalent to 0.56 per cent of GNI by 2010 and a long-term target of ODA equivalent to 0.7 per cent of GNI by 2015. In the same document, EU promised to increase its financial assistance to sub-Saharan Africa and to provide at least 50 per cent of the increase of ODA resources to the continent. It also emphasized that the least developed countries and low-income countries would be given priority in terms of overall resource allocations under the Programme of Action for the Least Developed countries for the Decade 2001-2010. Despite its commitments, EU aid decreased slightly, from 47.7 billion euros (€) in 2006 (corresponding to 0.41 per cent of EU GNI) to €46 billion in 2007 (equivalent to 0.38 per cent). Currently, five countries meet the 0.7 per cent target. EU is, however, broadly on track to achieve its ODA commitments, especially those directly focused on Africa. In 2006, EU gave 62 per cent of its bilateral, regionally allocated aid to Africa, up from 51 per cent in 2005, and it provided more than one half of the global aid flows to the region.

55. There are, however, lags in the implementation of the landmark commitments on aid quality, effectiveness and coordination made in the Rome and Paris Declarations. The pledges were reaffirmed by the Group of 8 at the Gleneagles summit, including enhancing efforts to untie aid. A major factor often cited as contributing to aid ineffectiveness is indeed the lack of coherence among the various objectives of the numerous donors, and a failure to reconcile these with the needs, priorities and preferences of the countries receiving assistance.[12] The sectoral distribution of aid is also greatly influenced by donors' preferences and the different criteria applied to them. According to the latest OECD figures, only 42 per cent of country aid flows were aligned to the national priorities of developing countries in 2006, 41 per cent of aid was released according to agreed schedules, 18 per cent of aid was still tied and only 35 per cent of aid was programme based.[13] EU is,

[11] *Our Common Interest: Report of the Commission for Africa*, March 2005.

[12] United Nations Conference on Trade and Development (UNCTAD), *Economic Development in Africa: Doubling Aid, Making the "Big Push" Work* (United Nations publication, Sales No. E.06.II.D.10).

[13] Organization for Economic Cooperation and Development, *2006 Survey on Monitoring the Paris Declaration: Overview of the Results*, also published as *OECD Journal on Development*, vol. 8, No. 2 (2007).

however, well placed to meet all Paris commitments by 2010. In 2007, EU adopted a Code of Conduct on Division of Labour in Development Policy with 11 guiding principles, which is meant to reduce overlap by donors across and within countries.

56. Owing to the shift in the allocation of aid over the years, away from productive activities in favour of social sectors, there is a need to ensure that the recent emphasis on the social sectors does not lead to a neglect of infrastructure and productive sectors, which are important to stimulate growth, generate employment and reduce poverty. Concerning mutual accountability, there is concern in the African region that while Governments have strengthened their accountability to donors, they need to be more accountable to their domestic constituents; this undermines genuine national ownership of the development process. Finally, recent flows to Africa are concentrated in a few countries and the recent increase of ODA is not evenly distributed.

**Debt relief and debt cancellation**

57. The Heavily Indebted Poor Countries (HIPC) Initiative was launched in 1996 by the World Bank and IMF and later enhanced to provide debt relief to low-income countries in order to reduce external debt repayments to sustainable levels. The international community has since adopted key commitments on debt relief and debt cancellation for African countries that extend this support further. The United Nations Millennium Declaration included a commitment to cancel all official bilateral debts of heavily indebted poor countries in return for their demonstrable commitments to poverty reduction. At Gleneagles, the Group of 8 agreed to cancel all debts owed by eligible heavily indebted poor countries to the International Development Association (IDA), IMF and the African Development Fund. To realize this objective, Governments agreed to supplement the enhanced HIPC Initiative with the Multilateral Debt Relief Initiative (MDRI) under which eligible IDA, IMF and the African Development Fund debt are cancelled when countries reach their enhanced HIPC completion point. As highlighted by the World Summit Outcome and the report of the Secretary-General on recent developments in external debt (A/62/151), debt sustainability is essential for growth and to free resources for the achievement of national development goals, including the Millennium Development Goals.

58. Notable progress has been achieved in recent years on debt relief. As of July 2008, 19 African countries had reached their enhanced HIPC completion points, 8 remained in the interim period between the decision and completion points, and 6 countries had not yet reached their decision points. In addition, the Group of 8 proposal to cancel multilateral debts is on track and, at present, 19 African countries have received MDRI debt reductions. Consequently, Africa's official debt to Governments and multilateral institutions declined to $144.5 billion in 2007 from $205.7 billion in 1999. However, private debt owed to banks and other private creditors by African nations rose from $92.4 billion in 1999 to $110.2 billion last year. Despite the noteworthy record on debt relief so far, African countries are still justifiably concerned that the slow progress of some countries towards their enhanced HIPC completion points underscores the need for increased international support for the implementation of poverty reduction strategies and streamlined conditionality in the application of completion-point triggers. Extended enhanced HIPC interim periods also highlight the need for creditors to provide additional interim flow relief to debtor countries as expeditiously as possible, and the urgent

need to ensure that all creditors, especially private creditors, deliver on their burden-sharing obligations. Otherwise, enhanced HIPC countries will be limited in their ability to free resources for vital development projects.

**Trade liberalization and Aid for Trade**

59. The Doha Round of multilateral trade negotiations, dubbed the "Development Round", stands at a critical juncture. With the target date initially set for the end of 2007 and later postponed, the Round has been punctuated by clear divergences of interests among the 151 members of the World Trade Organization (WTO). At the 2005 World Summit, Member States pledged to promote a universal, rule-based, open, non-discriminatory and equitable multilateral trading system under goal 8. They also committed themselves to implement the development dimensions of the Doha work programme. At Gleneagles in 2005, G-8 also pledged to work with greater urgency to bring the WTO negotiations to a close by 2006, with substantial reductions in trade-distorting domestic support and improvements in market access. At the 2006 summit in St. Petersburg, Russian Federation, G-8 countries also agreed to reduce domestic support for agriculture and eliminate all forms of agricultural export subsidies by 2013, subject to successful conclusion of the Doha Round. In practice, however, this has been difficult to accomplish. The Sixth Ministerial Conference of WTO held in December 2005 in Hong Kong, China, failed to reach agreement on liberalization modalities on agriculture and non-agricultural market access, despite modest progress attained in some areas. Although 2007 saw some progress in negotiations, the completion of the Round requires an agreement in early autumn 2008 on modalities for reducing agricultural tariffs and subsidies as well as industrial tariffs, and a commensurate level of progress in all other areas as part of a single undertaking. From the perspective of African countries, the negotiations still have to deal conclusively with the twin issues of sensitive and special products in the agriculture chapter. Altogether, since 2001, EU, the United States, Japan and Canada have spent more than $750 billion on agricultural subsidies. There is thus still a long way to go before reaching the 2013 target.

60. In December 2005, the Sixth Ministerial Conference in Hong Kong, China, also created a new WTO work programme on Aid for Trade. A task force produced a set of recommendations, endorsed in 2006, that gave a monitoring role to WTO. These initiatives were a follow-up to the commitment made by the Group of 8 at Gleneagles in 2005 to increase assistance to developing countries to build the physical, human and institutional capacity to trade, including through trade facilitation measures. In particular, the Group of 8 anticipated expenditure on "Aid for Trade" in developing countries to increase to $4 billion by 2010. In the follow-up to these commitments, in 2008, WTO adopted an Aid for Trade road map, which sets objectives on increasing developing country ownership of aid for trade; shifting emphasis to monitoring implementation, with a focus on country, regional and sectoral priorities; and launching a work programme to develop performance indicators and strengthen self-evaluations. The Aid for Trade progress review that was jointly organized by ECA, the African Development Bank, and WTO in the United Republic of Tanzania in November 2007 concluded that Africa's economic systems are often not competitive, making it harder to export reliably, efficiently and competitively into global markets. Adverse geography is often compounded by fragmented infrastructure, inefficient institutions, over-regulation, unreliable supply chains and a weak services sector.

61. According to OECD, the Group of 8 spent a combined $1,130,000,000 on Aid for Trade in sub-Saharan Africa in 2005, of which $845 million were allocated to infrastructure and $285 million to trade policy, regulations and trade development. This represents an increase of Aid for Trade spending in Africa by 39 per cent from its 2004 level of $814 million. Although the Group of 8 seems to be on track to meet its 2010 target, its initial commitment is far from sufficient to meet the current trade-related technical assistance needs of Africa. For example, the 2008 report of the MDG Africa Steering Group estimates that $52.2 billion per year will be required in public and private investment finance to resolve the critical infrastructure bottlenecks in Africa.

62. Regional cooperation and integration among developing countries has the potential to support national development strategies and fill some of the gaps in the global economic governance system. African leaders have thus committed themselves to establishing a continent-wide economic and monetary union by 2028. Progress has been slow, however. According to the 2007 audit of AU, regional economic communities, which are expected to serve as building blocks in the integration process, have been constrained by a number of factors, particularly overlapping memberships, insufficient cooperation between regional economic communities and lack of coordination and harmonization at the continental level. Currently, intraregional trade accounts for less than 10 per cent of the continent's total external trade. This situation is now complicated by the economic partnership agreements being negotiated between groupings of African countries with EU. The fact that interim Agreements have been signed with individual African countries and also with groups of African countries without paying particular attention to existing regional economic communities will slow down or unravel the regional integration agenda in the continent. As a result, increased attention is needed to ensure that bilateral trade agreements do not undermine regional and multilateral trade liberalization and enhanced market access for African countries.

**Peace and security**

63. The Treaty establishing the African Economic Community, signed in Nigeria in 1991, argues that the promotion of a peaceful environment is a prerequisite for economic development. The international donor community has pledged technical and financial resources to assist African Governments in their commitments to eradicate violent conflicts. In 2002, the G-8 Kananaskis summit adopted an Africa Action Plan containing the commitment to provide technical and financial assistance to the African peace and security architecture. The Plan was reiterated and extended at the Group of 8 summits in Evian, France (2003), Sea Island, United States (2004) and Gleneagles (2005). At Sea Island, leaders reiterated the commitment to train and equip 75,000 troops to take part in peace support operations worldwide, with a sustained focus on Africa, by 2010. At Gleneagles, participants pledged to train 25,000 African peacekeepers and also committed to provide coordinated technical assistance to the African Standby Force. The 2005 World Summit Outcome similarly committed States Members of the United Nations to develop a 10-year plan for capacity-building with AU. In late 2007, African and European leaders adopted the Joint Africa-EU Strategy and Action Plan whereby EU expressed its commitment to provide continued support for AU in its efforts to operationalize, in cooperation with relevant African regional organizations, the African Peace and Security

Architecture, including through long-term capacity-building for the various structures provided therein.

64. Overall, these commitments have led to tangible results. In November 2006, the United Nations and AU signed a declaration entitled "Enhancing United Nations-African Union Cooperation: Framework for the Ten-Year Capacity-Building Programme for the African Union" (A/61/630, annex), which, in harmony with the views of AU, puts its emphasis on security issues. The commitments of the United Nations under the Framework are currently being delivered through, inter alia, the Regional Consultations Mechanism (cluster on peace and security) and progress is marked in the area of training and mediation. The Group of 8 is equally on track to fulfil its commitments. Although the overall assistance to the African security architecture is often pursued by States members of the Group of 8 on an unharmonized and ad hoc basis, they are well on the way to meeting the peacekeeping training commitments, with the United States alone expected to train at least 75,000 troops in Africa by 2010 through the African Contingency Operations Training and Assistance Programme. According to AU, in 2007, the organization received $250.6 million from international partners in support of its peace and security activities. Despite this progress, most aid remains devoted to peacekeeping or peace-enforcement missions, rather than conflict prevention or post-war reconstruction. As noted by the 2007 audit of AU, the road map for the operationalization of the AU Early Warning System has not yet been implemented, and the early warning mechanisms of the regional economic communities are at different stages of development and in most cases not yet operational. Finally, EU is equally making strong political and financial commitments to support the African Peace and Security Architecture. EU assistance is based on the African Peace Facility, which is used to support African-led peace support operations and to promote capacity-building of the African security architecture. From 2005 to 2007, the African Peace Facility transferred €250 million in support of the Architecture, with the promise of a further €300 million over the next three years (2008-2010).

## IV. South-South cooperation

65. An increase in South-South cooperation involving economic and technical cooperation among developing and middle-income countries has come about in recent years. In 2005, the World Summit Outcome recognized the achievements and great potential of South-South cooperation and encouraged the promotion of this collaboration. In the same year, leaders of the South adopted the Doha Plan of Action at the Second South Summit, following up on the Havana Programme of Action of 2000. The Plan of Action contains over 100 commitments in the areas of globalization, knowledge and technology, South-South cooperation and North-South relations.

66. Some progress has been achieved in realizing these commitments. In the past two decades, the growth in trade between developing countries has been much higher than global trade, so that by 2006, South-South trade represented 46 per cent of total exports of developing countries.[14] Across Africa, more countries are forging new relations with their counterparts in developing Asia and South America. Africa-

[14] UNCTAD, "New and dynamic sectors of trade: the South-South dimension" (TD/B/COM.1/EM.34/2).

South trade is now a fast-growing part of the continent's international commerce. For example, African exports to China more than quadrupled between 2000 and 2005 to $19.5 billion. In addition, foreign direct investment from the South increased by 17 per cent in 2005. FDI to Africa is increasingly coming from Asia, especially China, but also from India and the Gulf States. Although trade within Africa remains relatively small, current evidence suggests that it is increasing, especially within the regional trade blocs. In the context of Africa's integration efforts, there are examples of South-South cooperation in trade and investment flows from middle-income countries such as South Africa to less-developed African countries.

67. In 2003, the Marrakesh Declaration on South-South Cooperation, adopted by the High-level Conference on South-South Cooperation, also expressed the commitment of Governments to South-South cooperation and to further strengthen it in different areas, including information and communication technology, trade, investment, finance, debt management, food, agriculture, water, energy, health and education. Over the years, South-South cooperation has become an important pillar in the edifice of development assistance and the number of non-OECD countries that now are engaged in aid provision and development cooperation has risen steeply, to nearly 30. There is some reluctance by these countries, however, to engage in standard donor practices regarding the allocation, administration and reporting of the assistance, which is estimated by OECD to reach $8 billion annually.

68. Three countries are particularly active in this cooperation: China, India and Brazil. In 2006, at the Forum on China-Africa Cooperation, China pledged to provide $3 billion in preferential loans and $2 billion in preferential export buyer's credit to African countries in the next three years. The two sides also adopted the Beijing Action Plan (2007-2009). Over the past few years, China has become one of Africa's major partners for trade and economic cooperation. According to UNCTAD, trade (exports and imports) between Africa and China increased from $11 billion in 2000 to $56 billion in 2006. China's FDI stock in Africa had reached $1.6 billion by 2005.[15] In May 2008, China assessed the implementation of the Beijing Action Plan and announced that China-Africa trade had reached $73.31 billion in 2007 and was expected to reach $100 billion by 2010.

69. India has also broadened its economic relationship with Africa. In April 2008, it organized the first India-Africa Forum summit where modalities to strengthen the cooperative ties between the two partners were considered. At the Forum, India pledged a $5.4 billion credit line for African countries over the next five years and $500 million in ODA. It has additionally announced a duty-free tariff preference scheme for 50 least developed countries, of which 33 are in Africa, to provide preferential market access for their exports. Brazil has also enhanced its cooperation with African countries, notably by providing technical support in the areas of electoral assistance, peacebuilding, energy, and information and communication technologies. Brazil-Africa trade increased from $5 billion in 2002 to $19.9 billion in 2007. Brazil operates not only bilaterally but also multilaterally, through the South America-Africa summits, where it serves as the general coordinator on the South American side.

[15] UNCTAD, *Asian Foreign Direct Investment in Africa: Towards a New Era of Cooperation among Developing Countries* (United Nations publication, Sales No. E.07.II.D.1).

70. The contribution of these countries has been supplemented by emerging donors such as Malaysia, the Russian Federation, the Republic of Korea and Middle Eastern countries, which have sought to promote the development of the continent through private investments, for example, the Arab Fund for Economic and Social Development, the OPEC Fund for International Development, the Saudi Fund for Development, the Islamic Development Bank and the Islamic Solidarity Fund for Development of the Organization of the Islamic Conference.

# V. Conclusions and the way forward

71. Progress in Africa towards the Millennium Development Goals and other internationally agreed development goals remains off track and more must be done to fulfil existing African and international commitments to action. Most African and international commitments remain only partially realized. Significant progress has been made by the international community in providing debt relief, aid for trade and support for peace and security, but more needs to be done to follow through on pledges of sectoral-level support for Africa's development. At this juncture, meeting Africa's development needs and challenges will require resolution and leadership to turn existing African and international commitments into results, and vision into policy actions. This is undeniably one of the most important challenges facing African countries and institutions, as well as the international community, including the United Nations. The following recommendations are designed to assist in this effort.

72. The African States should strengthen mechanisms for participation, inclusion and empowerment of all segments of society, including civil society, communities and households, in the political and development processes. The NEPAD programme affirms that ownership, inclusion and involving communities in setting goals can help focus public action on social priorities. The NEPAD founding document emphasizes the determination of Africa's leaders to translate the deep popular will into action.

73. The AU Commission and the NEPAD secretariat should intensify efforts towards the ongoing integration of NEPAD into the structures of the Commission. The Chairperson of the Commission has recently set up a NEPAD coordinating unit, aimed at accelerating this process, as was called for by the March 2007 Conclusions and Recommendations of the NEPAD Heads of State and Government Implementation Committee Meeting and Brainstorming on NEPAD held in Algiers. The AU member States should support the work of the unit.

74. Given the importance of agriculture in the development of the continent and to cope with the current food crisis, African countries should meet the Maputo Declaration target of devoting 10 per cent of public expenditure to agricultural and rural development.

75. Given the number of commitments regarding Africa's development made by the international community and by African Governments, there is a need to strengthen the existing monitoring mechanism for mutual accountability in the NEPAD secretariat supported by ECA and which works with the African Partnership Forum Support Unit.

76. The Regional Consultations Mechanism should be strengthened to ensure effective support to AU and its NEPAD programme. This calls for stronger commitment and institutional leadership on the part of all concerned: United Nations agencies, on the one hand, and African regional and subregional organizations, on the other. The Mechanism's clusters should be provided with sufficient dedicated resources to ensure effective coordination and maximum impact. Furthermore, the secretariat of the Regional Consultations Mechanism located at ECA should be strengthened to ensure that it can effectively execute its strategic coordinating role.

77. Given the mixed record of African States in achieving the Millennium Development Goals, African States should embark upon a peer-review exercise on the Goals. In the follow-up to the Economic and Social Council's annual ministerial review, a recently promoted initiative, ECA should convene a regional annual ministerial review, in order to encourage peer learning and experience-sharing among African countries. As African Heads of State and Government have recently requested the AU Commission, in collaboration with ECA, to prepare status reports and related statistics on the progress in Africa towards the attainment of the Millennium Development Goals, the regional review should be the appropriate environment where information is shared and progress is assessed. Greater coherence between national development strategies and the Programme of Action of the African Peer Review Mechanism is needed.

78. African countries need to take further steps to improve both economic and political governance. This call entails, for instance, that countries which have been peer reviewed should implement recommendations contained in the reports of the African Peer Review Mechanism.

79. In order to deal with the human and income poverty in Africa, special action should be taken to support the building of human and institutional capacity to achieve an adequate measure of sustainability in the areas of economic and social development, macroeconomic policies, households and communities. Effective support to building human and institutional capacity contributes to adequate formulation, planning and implementation of reforms. African countries and the international community should coordinate their efforts to strengthen the effectiveness of their contribution to capacity-building.

80. While African countries should integrate climate issues into economic planning and management at both national and regional levels, international partners should support their mitigation and adaptation efforts, climate-proof all projects and policies intended to achieve agreed development goals and provide compensatory financing for this process. Substantial financing is necessary to climate-proof development spending, adapt poverty reduction to climate change, strengthen responses to disasters, and build capacity to support adaptation planning and implementation of strategies and plans on climate change. A dedicated fund should be created for these purposes.

81. Tremendous gains are possible if the international community translates its commitments into results. There are currently concrete opportunities to implement and scale up interventions in support of the Millennium Development Goals. They include: (a) meeting short-term emergency food needs resulting from the global rise in food prices to prevent malnutrition and contain political unrest; (b) launching an African green revolution within the framework of the Comprehensive Africa

Agricultural Development Programme; (c) investing in critical infrastructure; (d) investing in education to achieve the Millennium Development Goals and Education for All goals by 2015, including gender parity at all levels, and implementing national school-feeding programmes; (e) strengthening health systems and phasing in child survival interventions; (f) ensuring access to emergency obstetric care for all women; (g) providing family planning services for all; (h) fighting infectious diseases; (i) implementing national water supply and sanitation strategies; and (j) strengthening national statistical systems.

82. In the follow-up to the assessment of the MDG Africa Steering Group, the international community needs to increase external financing for African agriculture from the current $1-2 billion per year to roughly $8 billion by 2010. In education, approximately $8.3 billion are required annually to ensure achievement of the education Millennium Development Goal. In health, it is estimated that external financing needs will reach $25-30 billion per year by 2010. Finally, $52.2 billion per year are required in public and private investment finance to resolve the critical bottlenecks in infrastructure.

83. African countries should also prioritize quick-impact initiatives such as enhanced coverage for nutrition programmes, control of malaria and other vector-borne diseases, rapid increase in school enrolment through the abolition of school fees, improved inputs to raise agricultural productivity and increased access to family planning.

84. In line with the June 2008 recommendations of the MDG Africa Steering Group, as external finance for development in Africa needs to rise to $72 billion per year to support the achievement of the Millennium Development Goals, development partners should fulfil ODA commitments made at the International Conference on Financing for Development and during the run-up to the 2005 World Summit, including at the G-8 summit at Gleneagles.

85. Given the shortfalls in the quality of aid and the harmonization of delivery, development partners, as highlighted by the MDG Africa Steering Group, should align their assistance with country systems through multi-year compacts, increase the predictability of aid, improve the division of labour among donors and accelerate the shift away from project-based finance towards budget support. Many countries and organizations that are not members of the OECD Development Assistance Committee are assuming an increasingly central role as development partners for African countries. Therefore, efforts to improve aid effectiveness also need to involve high-income country donors that are not members of the Committee such as the Gulf States, enhanced South-South collaboration with partners such as Brazil, China and India, as well as large private foundations.

86. There is a need for the international community to increase resources by establishing currency transaction taxes, global environmental taxes such as carbon taxes and taxes on freight transport.

87. Despite some progress, the current debt sustainability framework for low-income countries remains questionable. There is a need to extend HIPC and MDRI initiatives to non-HIPC African countries, including middle-income and low-income countries, as well as address the challenges that delay countries in reaching the completion point.

88. Forthcoming trade negotiations should take into account the needs of developing nations to gain improved market access and entry for their exports, including agriculture, manufactures and labour-intensive services. Consequently, developed countries should reduce agricultural subsidies. As highlighted by the MDG Africa Steering Group, the current upward trend in food prices challenges the argument for agricultural subsidies and, therefore, provides a window of opportunity for trade reform.

89. As raised at the seventh AU Summit, held in the Gambia in 2006, regional economic communities should coordinate and harmonize their policies among themselves. In addition, adjustments should be made to existing regional trade agreements to bring them into line with the regulations of the African Economic Community. At the same time, regional trade agreements, especially those between developing and developed countries such as the economic partnership agreements, should be compatible with the development objectives and strategies of African countries and with existing WTO rules on regional trade agreements.

90. One of the key priorities that African countries should address is the improvement of their supply-side capacities and the deepening of their regional integration. In this regard, African countries should accelerate the preparation of well-prioritized action plans for Aid for Trade implementation with clear bankable projects at national and regional levels. The international community, for its part, should assist African countries to implement the projects prioritized in the Aid for Trade action plans by providing sufficient and predictable financial resources. At the same time, the rules of WTO Agreement on Trade-Related Aspects of Intellectual Property Rights and the Agreement on Trade-Related Investment Measures should be liberalized in order to facilitate the adoption of technology as well as expansion of policy space by African countries.

91. The donor community should concentrate its efforts on conflict prevention/early warning, post-war reconstruction, peacekeeping and peace enforcement in order to achieve a conflict-free Africa by 2010, as stated in General Assembly resolution 61/230. Support to the early warning mechanisms of the Intergovernmental Authority on Development, the Economic Community of West African States, the Economic Community of Central African States, the Southern African Development Community and the overall All Continental Early Warning System should be intensified.